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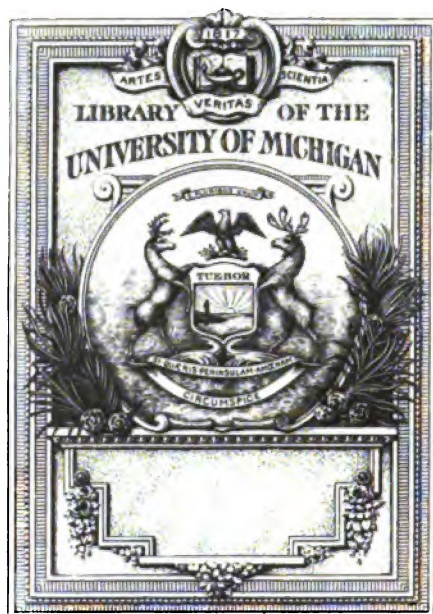
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JOURNAL  
OF THE  
THE SENATE  
OF THE  
STATE OF MICHIGAN.

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1885.

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Printed by Virtue of an Act of the Legislature, under the direction and supervision of

LEWIS M. MILLER,  
Secretary of the Senate.

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IN TWO VOLUMES.

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VOL. I.

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BY AUTHORITY.

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LANSING, MICH.:  
W. S. GEORGE & CO., STATE PRINTERS & BINDERS  
1885.



# SENATE JOURNAL.

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*Lansing, Wednesday, January 7, 1885.*

In conformity with the requirements of the Constitution of the State of Michigan, the Senate thereof, on this day, at 12 o'clock M., convened in the Senate chamber, at Lansing, in said State, and was called to order by Hon. Archibald Butters, Lieutenant Governor and President of the Senate.

Prayer by Rev. George Taylor, of Lansing.

The roll of Senators was called by Edwin S. Hoskins, Secretary of the last Senate, when the following named Senators elect presented themselves, took and subscribed the oath prescribed by the Constitution, and entered upon the discharge of their duties as Senators:

From the 1st District—Michael Greiner.

"	"	2d	"	—Thomas D. Hawley.
"	"	3d	"	—James Hueston.
"	"	4th	"	—Reuben Kempf.
"	"	5th	"	—Christian Hertzler.
"	"	6th	"	—Manson Carpenter.
"	"	7th	"	—Michael Shoemaker.
"	"	8th	"	—Charles Austin.
"	"	9th	"	—George A. Smith,
"	"	10th	"	—Stephen F. Brown.
"	"	11th	"	—Harvey C. Sherwood.
"	"	12th	"	—Charles J. Monroe.
"	"	13th	"	—John Carveth.
"	"	14th	"	—Orrin G. Pennell.
"	"	15th	"	—Samuel W. Smith.
"	"	16th	"	—Joshua Manwaring.
"	"	17th	"	—William M. Oline.
"	"	18th	"	—Carl Heisterman.
"	"	19th	"	—Horace C. Spencer.
"	"	20th	"	—Henry H. Pulver.
"	"	21st	"	—James W. Belknap.
"	"	22d	"	—John L. Curtis.
"	"	23d	"	—John W. Moon.
"	"	24th	"	—Henry Woodruff.
"	"	25th	"	—George Davenport.
"	"	26th	"	—Edward E. Edwards.

From the 27th District—Fitch Phelps.

“ “ 28th “ —William H. Francis.

“ “ 29th “ —Charles R. Henry.

“ “ 30th “ —Lewis C. Davis.

“ “ 31st “ —Samuel M. Stephenson.

“ “ 32d “ —J. A. Hubbell.

The roll was again called, and the President announced that a quorum of the Senate was present.

The President then addressed the Senate as follows:

GENTLEMEN OF THE SENATE,—We have met here as the chosen representatives of the people of a great commonwealth, to so legislate and shape their affairs that all, irrespective of their condition in life, may be benefited by our labors.

I do not think it is my province to advise or recommend any particular policy; but simply, as your presiding officer, to ask each of you to aid me in the proper enforcement of the rules and orders of the Senate, bear with my shortcomings, tender me your best counsels, so that the interests of the people of this great State may not be impaired.

Hoping that all may fulfill the expectations of their constituents, that every measure framed for the good of all only may succeed, and that we may be blessed with good health during our sojourn here, and have a happy return to our homes in due time, I wish you all a happy New Year.

On motion of Mr. Austin,

The Senate proceeded to the election of Secretary of the Senate, with the following result:

FOR LEWIS M. MILLER.

Mr. Austin,	Mr. Edwards,	Mr. Monroe,	Mr. Smith, S. W.,
Belknap,	Francis,	Moon,	Spencer,
Brown,	Henry,	Phelps,	Stephenson,
Carpenter,	Hubbell,	Smith, G. A.,	Woodruff,
Carveth,	Kempf,		

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FOR F. HOMER HOSFORD.

Mr. Cline,	Mr. Greiner,	Mr. Hueston,	Mr. Pulver,
Curtiss,	Hawley,	Manwaring,	Sherwood,
Davenport,	Heisterman,	Pennell,	Shoemaker,
Davis,	Hertzler,		

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The President announced that Lewis M. Miller, having received a majority of all the votes cast, was duly elected Secretary of the Senate.

On motion of Mr. Brown,

The Senate proceeded to the election of Assistant Secretary of the Senate, with the following result:

FOR JOHN D. SUMNER.

Mr. Austin,	Mr. Edwards,	Mr. Monroe,	Mr. Smith, S. W.,
Belknap,	Francis,	Moon,	Spencer,
Brown,	Henry,	Phelps,	Stephenson,
Carpenter,	Hubbell,	Smith, G. A.,	Woodruff,
Carveth,	Kempf,		

18

## FOR MILLS W. LANDON.

Mr. Cline,	Mr. Greiner,	Mr. Hueston,	Mr. Pulver,
Curtiss,	Hawley,	Manwaring,	Sherwood,
Davenport,	Heisterman,	Pennell,	Shoomaker,
Davis,	Hertzler,		

14

The President announced that John D. Sumner having received a majority of all the votes cast, was duly elected Assistant Secretary of the Senate.

On motion of Mr. Manwaring,

The Senate proceeded to the election of Engrossing and Enrolling clerk with the following result:

## FOR FRANK M. HOWE.

Mr. Austin,	Mr. Edwards,	Mr. Monroe,	Mr. Smith, S. W.,
Belknap,	Francis,	Moon,	Spencer,
Brown,	Henry,	Phelps,	Stephenson,
Carpenter,	Hubbell,	Smith, G. A.,	Woodruff,
Carveth,	Kempf,		

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## FOR CHARLES H. TRAIN.

Mr. Cline,	Mr. Greiner,	Mr. Hueston,	Mr. Pulver,
Curtiss,	Hawley,	Manwaring,	Sherwood,
Davenport,	Heisterman,	Pennell,	Shoemaker,
Davis,	Hertzler,		

14

The President announced that Frank M. Howe, having received a majority of all the votes cast, was duly elected Engrossing and Enrolling Clerk of the Senate.

On motion of Mr. Monroe,

The Senate proceeded to the election of Assistant Engrossing and Enrolling Clerk, with the following result:

## FOR MRS. I. R. JAMESON.

Mr. Austin,	Mr. Davis,	Mr. Hubbell,	Mr. Smith, G. A.,
Belknap,	Edwards,	Kempf,	Smith, S. W.,
Brown,	Francis,	Monroe,	Spencer,
Carpenter,	Heisterman,	Moon,	Stephenson,
Carveth,	Henry,	Phelps,	Woodruff,

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## FOR JAMES W. SHELL.

Mr. Cline,	Mr. Greiner,	Mr. Hueston,	Mr. Pulver,
Curtiss,	Hawley,	Manwaring,	Sherwood,
Davenport,	Hertzler,	Pennell,	Shoemaker,

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The President announced that Mrs. I. R. Jameson, having received a majority of all the votes cast, was duly elected Assistant Engrossing and Enrolling Clerk of the Senate.

On motion of Mr. Kempf,

The Senate proceeded to the election of Sergeant-at-Arms, with the following result:

## FOR P. Q. STONER.

Mr. Austin,	Mr. Edwards,	Mr. Monroe,	Mr. Smith, S. W.,
Belknap,	Francis,	Moon,	Spencer,
Brown,	Henry,	Phelps,	Stephenson,
Carpenter,	Hubbell,	Smith, G. A.,	Woodruff,
Carveth,	Kempf,		

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## FOR WILLIAM A. INNES.

Mr. Cline,	Mr. Greiner,	Mr. Hueston,	Mr. Pulver,
Curtiss,	Hawley,	Manwaring,	Sherwood,
Davenport,	Heisterman,	Pennell,	Shoemaker,
Davis,	Hertzler,		14

The President announced that P. Q. Stoner having received a majority of all the votes cast, was duly elected Sergeant-at-Arms of the Senate.

On motion of Mr. Manwaring,

The Senate proceeded to the election of 1st Assistant Sergeant-at-Arms, with the following result:

## FOR W. W. WILLIAMS.

Mr. Austin,	Mr. Edwards,	Mr. Monroe,	Mr. Smith, S. W.,
Belknap,	Francis,	Moon,	Spencer,
Brown,	Henry,	Phelps,	Stephenson,
Carpenter,	Hubbell,	Smith, G. A.,	Woodruff.
Carveth,	Kempf,		18

## FOR MARCUS SALES.

Mr. Cline,	Mr. Greiner,	Mr. Hueston,	Mr. Pulver,
Curtis,	Hawley,	Manwaring,	Sherwood,
Davenport,	Heisterman,	Pennell,	Shoemaker.
Davis,	Hertzler,		14

The President announced that W. W. Williams having received a majority of all the votes cast was duly elected 1st Assistant Sergeant-at-Arms of the Senate.

On motion of Mr. Brown,

The Senate proceeded to the election of Second Assistant Sergeant-at-Arms, with the following result:

## FOR DANIEL G. CROTTY.

Mr. Austin,	Mr. Edwards,	Mr. Monroe,	Mr. Smith, S. W.,
Belknap,	Francis,	Moon,	Spencer,
Brown,	Henry,	Phelps,	Stephenson,
Carpenter,	Hubbell,	Smith, G. A.,	Woodruff,
Carveth,	Kempf,		18

## FOR JOHN M. POTTER.

Mr. Cline,	Mr. Greiner,	Mr. Hueston,	Mr. Pulver,
Curtiss,	Hawley,	Manwaring,	Sherwood,
Davenport,	Heisterman,	Pennell,	Shoemaker,
Davis,	Hertzler,		14

The President announced that Daniel G. Crotty, having received a majority of the votes cast, was duly elected Second Assistant Sergeant-at-Arms of the Senate.

Mr. Austin offered the following resolution:

*Resolved*, That the rules of the last Senate be adopted as the rules of this Senate, until otherwise ordered.

Which was adopted.

Mr. Manwaring offered the following resolution:

*Resolved*, That the daily sessions shall commence at 10 o'clock until otherwise ordered.

Which was adopted.

Mr. Monroe offered the following resolution :

*Resolved*, That the President be authorized to appoint the janitors for the Senate, a keeper of the cloak-room, and seven messengers, one for himself and six for the Senate; and that the Secretary and Sergeant-at-Arms each be authorized to appoint one messenger;

Which was adopted.

Mr. S. W. Smith offered the following resolution :

*Resolved*, That Vincenzo A. Hackley of Detroit, Wayne county, be, and is hereby appointed keeper in charge of the Senate committee rooms;

Which was adopted.

On motion of Mr. Austin,

The Senate took a recess until 3 o'clock this afternoon.

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#### AFTERNOON SESSION.

*3 o'clock, P. M.*

The Senate met, and was called to order by the President.

Roll called : a quorum present.

Mr. Phelps offered the following concurrent resolution :

*Resolved* (the House concurring), That Mrs. Josephine Robinson be and is hereby appointed Postmistress of the House and Senate, with power to appoint a postoffice messenger;

Which was adopted.

Mr. Phelps offered the following concurrent resolution :

*Resolution* (the House concurring), That George A. Smith be and is hereby appointed Assistant Postmaster of the House and Senate.

Mr. Hawley moved to amend as follows :

By striking out the words "Geo. A. Smith" and inserting in lieu thereof the words "Minnie Rice;"

Which motion did not prevail.

The concurrent resolution was then adopted.

The President announced that the oath of office would now be administered to the officers elect of the Senate.

Lewis M. Miller, Secretary elect; John D. Sumner, Assistant Secretary elect; Frank M. Howe, Engrossing and Enrolling Clerk elect; Mrs. Florence J. Jameson, Assistant Engrossing and Enrolling Clerk elect; P. Q. Stoner, Sergeant-at-Arms elect; W. W. Williams, 1st Assistant Sergeant-at-Arms elect; Daniel G. Crotty, 2d Assistant Sergeant-at-Arms elect; came forward, took and subscribed the oath prescribed by the constitution, and entered upon the discharge of the duties of the offices to which they had been respectively elected.

The President announced the following :

SENATE CHAMBER,  
Lansing, January 7, 1884. }

In pursuance of the resolution of the Senate, I hereby make the following appointments :

*Janitor*—Barnhardt Rice, Saginaw.

*First Assistant Janitor*—Cyrus C. Ryther, Cass.

*Second Assistant Janitor*—George Butters, Huron.

*Keeper of Cloak Room*—Joseph C. Ford, Ként.

*President's Messenger*—Charles C. Ames, Jackson.

*Messengers*—Edward P. Safford, Clare; Allen A. Brubaker, Emmet; Charles Dunham, Oulhoun; Abraham N. Shook, Montcalm; Lewis Haymes, Hillsdale; George C. Monroe, South Haven.

#### PRESENTATION OF PETITIONS.

No. 1. By Mr. Stephenson:

Memorial of John Greusel, Jr., contesting the right of the seat now occupied by Senator James Hueston.

On motion of Mr. Hueston,

The memorial was ordered spread on the journal.

The President announced that the memorial would be referred to the appropriate committee when announced.

The following is the memorial:

*To the Hon. the Senate of the State of Michigan:*

Memorial of John Greusel, Jr., of the township of Springwells, county of Wayne, State of Michigan: Having been a candidate at the last general election for Senator from the Third Senatorial District, on the Republican ticket, and the Hon. James Hueston, one of his opponents for the same office on the Democratic ticket, having been granted a certificate of election by the Board of County Canvassers, and who is now occupying the seat for the Third Senatorial District, to which the said John Greusel, Jr., claims to have been justly entitled to a certificate of election, if the Board of County Canvassers had done their duty in a fair and upright manner;

Therefore, the said John Greusel, Jr., having no other means of redress, must appeal to the Senate of the State of Michigan, who are the only judges of their members entitled to seats in that body. The following are the claims for contesting the right of the Hon. James Hueston to his seat:

*First.* That the official returns by the several precincts of the wards and townships comprising the Third Senatorial District, show that John Greusel, Jr., received..... 5,762 votes, and James Hueston received..... 5670 votes.

Majority for John Greusel, Jr..... 92

*Second.* The real claim for contesting the seat of Senator Hueston lies in the third precinct of the twelfth ward of the city of Detroit, where John Greusel, Jr., claims that he received 374 votes, and James Hueston received 186 votes, according to the official returns by the board of inspectors to the county clerk. But that the board of county canvassers disregarded the returns of the inspectors and made use of the tally sheet, which one Mr. Wilkinson, one of the clerks of the board of inspectors for said third precinct of the twelfth ward, on oath before a committee appointed by the Wayne County Board of canvassers, to investigate the returns for said third precinct, stated that he changed the tally sheet four days after election of November 4th, 1884. Said change was made without authority and without the knowledge of the board of inspectors of said third precinct. Affidavits, sworn to before a notary public by the three inspectors, also one of the United States Inspectors, also an affidavit of two prominent citizens of Springwells, who took a true copy of all the official returns from the county clerk's office, from fifteen townships, from three wards of Wyandotte, and from four precincts of the

tenth ward and from three precincts of the twelfth ward of the city of Detroit, all of which comprises the Third Senatorial District, and from this statement it appears that the number of votes given to John Greusel, Jr., were 5,762 and the number given to James Hueston..... 5,670

Majority for John Greusel, Jr..... 92  
will be presented before the Senate Committee to whom this memorial will be referred for investigation, and that John Greusel, Jr., the contestant, would respectfully ask the Senate that if said committee have the power to call for the ballot-box of the third precinct of the 12th ward of the City of Detroit to be brought before them for a recount, and if it should result in the figures given by the inspectors to be correct, then John Greusel, Jr., will claim the right to his seat as Senator from the Third District, and if the figures given by the county canvassing board, taken from the mutilated tally sheet as is claimed, considered by the committee to be correct (as claimed by Senator James Hueston), he will be entitled to his seat: Therefore, John Greusel, Jr. wishes, that the Senate will investigate this contest impartially, who alone have the power to act upon the qualification of its members.

All of which is respectfully submitted.

JOHN GREUSEL, JR.

#### NOTICES.

Mr. Hawley gave notice that at some future day he would ask leave to introduce

A bill to establish uniform time;

Also,

A bill to regulate gas works in the State of Michigan;

Also,

A bill for the formation of corporations for the promotion of art;

Also,

A joint resolution to hasten the civilization of Indians.

Mr. Stephenson gave notice that on some future day he would ask leave to introduce

A bill to increase the salary of the Justices of the Supreme Court.

Mr. Hubbell gave notice that on some future day he would ask leave to introduce

A bill to confer power and authority upon the Common Council of the village of Houghton to purchase and acquire property, and to erect all proper and necessary structures in connection therewith, without as well as within the corporate limits of said village, and to hold and maintain the same for the sole purpose of supplying said village and the inhabitants thereof with water.

#### MOTIONS AND RESOLUTIONS.

Mr. Manwaring offered the following resolution:

*Resolved*, That each Senator be allowed the sum of five dollars for stationery, and that the committee on supplies and expenditures be required to furnish the President of the Senate, the Secretary, the Engrossing and Enrolling Clerks, and the chairmen of all committees, such stationery as they may require for their own use;

Which was adopted.

Mr. Austin offered the following resolution:

*Resolved*, That the Secretary of the Senate be instructed to invite the pastors of the various churches of the city of Lansing to open the daily sessions of the Senate with appropriate religious services;

Which was adopted.

Mr. Manwaring offered the following resolution:

*Resolved*, That the Secretary of the Senate be instructed to order five hundred copies of the daily Journal for the use of the Senate, and that the State Printer be instructed to forward one copy additional to each daily and weekly paper published in the State, also to the State officers, and members of the State Commissions, to Probate, Circuit, and Supreme Judges, County Clerks, County Treasurers, Registers, Prosecuting Attorneys, and the Superintendents of the County Poor;

Which was adopted.

On motion of Mr. S. W. Smith, the Senate proceeded to the election of a President *pro tem*.

The Secretary then called the roll and the senators voted as follows:

FOR JAMES W. BELKNAP.

Mr. Austin,	Mr. Francis,	Mr. Monroe,	Mr. Smith, S. W.
Brown,	Henry,	Moon,	Spencer,
Carpenter,	Hubbell,	Phelps,	Stephenson,
Carveth,	Kempf,	Smith, G. A.,	Woodruff,
Edwards,			

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MICHAEL SHOEMAKER.

Mr. Cline,	Mr. Greiner,	Mr. Hertzler,	Mr. Pennell,
Curtiss,	Hawley,	Hueston,	Pulver,
Davenport,	Heisterman,	Manwaring,	Sherwood,
Davis,			

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The President announced that James W. Belknap having received a majority of all the votes cast, was duly elected President *pro tem*. of the Senate.

Mr. Belknap offered the following resolution:

*Resolved*, That a committee of three be appointed to inform the House that the Senate is organized and ready to proceed to business;

Which was adopted.

The President appointed Senators Belknap, Moon, and Shoemaker as such committee.

Mr. George A. Smith offered the following resolution:

*Resolved*, That the President is hereby authorized to assign the reporters of the press the several desks set apart for their use;

Which was adopted.

The committee appointed to notify the House that the Senate was organized for business returned and reported that duty performed.

Report accepted and committee discharged.

Mr. Manwaring offered the following resolution:

*Resolved by the Senate* (the House concurring), That the amount of postage stamps furnished by the postmaster at Lansing to the State printer for the prepayment of postage on the daily Journal, in compliance with the concurrent resolution passed at this session, be paid by the State Treasurer on the warrant of the Auditor General, to be drawn on the presentation of bills for such postage as shall from time to time accrue, duly certified by said postmas-



ter and by the foreman of the State bindery, showing that such postage stamps have been actually purchased and used for the purpose aforesaid;

Which was adopted.

Mr. Austin offered the following resolution:

*Resolved*, That a committee be appointed by the President to act with a like committee on the part of the House, to wait upon the retiring Governor and the Governor, and inform them that the two Houses are now organized and ready to receive any communications they are pleased to make;

Which was adopted.

The President appointed Senators Austin, Hubbell, and Hueston as said committee.

On motion of Mr. Belknap,

The Senate adjourned.

*Lansing, Thursday, January 8, 1885.*

The Senate met and was called to order by the President at 10 o'clock A. M.

Prayer by the Rev. Mr. Thompson, of Lansing.

Roll called: a quorum present.

#### APPOINTMENTS.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 7, 1885.* }

*To the President of the Senate:*

In accordance with the concurrent resolution passed by the Senate and House of Representatives, authorizing the appointment of a postoffice messenger by me, I have this day appointed, George C. Robinson, to that position.

JOSEPHINE ROBINSON,  
*Legislative Postmistress.*

The President also announced the following:

SENATE CHAMBER, }  
*Lansing, Jan. 7, 1885.* }

*To the President of the Senate:*

I have this day appointed Harvey Clippinger as Messenger.

LEWIS M. MILLER, *Secretary.*

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, Jan. 7, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to inform the Senate that Messrs.

Dodge, Hayes, and Howell have been appointed a committee on the part of the House to act with a like committee of the Senate to wait upon the retiring and incoming Governors and inform them that the two houses are organized and are ready to receive any communication they may be pleased to make.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The message was laid on the table.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 8, 1885 }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following concurrent resolution:

*Resolved* (the Senate concurring), That the two Houses meet in joint convention at 2 P. M. to-day for the purpose of receiving the messages of the retiring and in-coming Governors;

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

On motion of Mr. Brown,

The Senate concurred in the adoption of the concurrent resolution.

#### NOTICES.

Mr. Hueston gave notice that on some future day he would ask leave to introduce

A bill relating to consolidation of railroads.

Also,

A bill relative to the foreclosure of mortgages by advertisement.

Mr. Edwards gave notice that on some future day he would ask leave to introduce

A joint resolution entitled, a joint resolution proposing an amendment to Article 4 of the constitution of this State, relative to the prohibition of the manufacture and sale of spirituous, malt, and vinous liquors, and the rights of property therein, except for mechanical, medicinal, chemical, or scientific purposes, by adding a new section thereto to stand as section 49.

Mr. Manwaring gave notice that on some future day he would ask leave to introduce

A bill to amend section 1, chapter 72, being section 2284 of Howell's Annotated Statutes, relative to the consignment of dead bodies to the demonstrator of anatomy at Ann Arbor for dissection in certain cases.

Mr. Hawley gave notice that on some future day he would ask leave to introduce

A joint resolution to amend the constitution so as to abolish the board of auditors of Wayne county;

Also,

A bill to abolish the office of Commissioner of Immigration, being a bill to repeal Section 328 of Howell's Annotated Statutes;

Also,

A joint resolution to amend the Constitution so that the terms of office of

certain State officers, known as the Governor's appointments, shall expire February first instead of January first.

#### MOTIONS AND RESOLUTIONS.

Mr. Kempf offered the following concurrent resolution :

*Resolved* (the House concurring), That the joint rules of the Senate and House of Representatives and the rules in joint convention of the last Legislature be adopted as the present joint rules unless otherwise ordered ;

Which was adopted.

Mr. Manwaring offered the following resolution :

*Resolved*, That the Secretary of the Senate be, and he is hereby instructed to order 500 copies of the daily Journal for the use of the Senate for the first three days of the session ;

Which was adopted.

Mr. S. W. Smith offered the following resolution :

*Resolved*, That a committee of three be appointed by the President, to act with a like committee on the part of the House, to wait on the State officers and Judges of the Supreme Court and invite them to attend a joint convention or conventions (when the time for holding the same shall have been ascertained), in Representative Hall, to listen to such communications as the outgoing Governor and the Governor-elect shall be pleased to make ;

Which was adopted.

The President appointed Senators S. W. Smith, Brown, and Manwaring as such committee.

#### INTRODUCTION OF BILLS.

Mr. Stephenson, previous notice having been given, and leave being granted, introduced

Senate bill No. 1, entitled

A bill to increase the salary of the Justices of the Supreme Court.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Wordruff, previous notice not having been given, and leave being granted, introduced

Senate bill No. 2, entitled

A bill to repeal act 122 of the session laws of 1869, entitled "An act to amend sections 1 and 3 of act No. 76 of the session laws of 1867, being an act entitled 'An Act to provide for the appointment of a commissioner to be known as the Swamp Land State Road Commissioner, approved March 21, 1867,'" also act 182 of the session laws of 1875, entitled "An act to amend sections 1 and 17 of an act to create a board of State swamp land commissioners, and to repeal act 76 of the session laws of 1867, being sections 4003 to 4019 both inclusive, of the compiled laws of 1871," and the several acts amendatory thereof, and to transfer the duties of said office to the commissioner of the State land office.

The bill was read a first and second time by its title, and referred to the committees on the judiciary and public lands jointly.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 3, entitled

A bill for the formation of corporations for the promotion of art.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The Sergeant-at-Arms announced a committee from the House, who informed the Senate that the House was organized and ready for the transaction of business.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 4, entitled

A bill to regulate gas works in the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Hubbell, previous notice having been given and leave being granted, introduced

Senate bill No. 5, entitled

A bill to confer power and authority upon the Common Council of the village of Houghton to purchase and acquire property, and to erect all proper and necessary structures in connection therewith, without as well as within the corporate limits of said village, and to hold and maintain the same for the sole purpose of supplying said village and the inhabitants thereof with water.

The bill was read a first and second time by its title, and referred to the committee on cities and villages.

The committee appointed to act with a like committee on the part of the House, to wait upon the retiring Governor and the Governor and inform them that the two Houses are now organized and ready to receive any communications they are pleased to make, returned and reported that duty performed.

On motion of Mr. Manwaring,

The Senate took a recess until 1:45 o'clock this afternoon.

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#### AFTERNOON SESSION.

1:45 o'clock P. M.

The Senate met, and was called to order by the President.

Roll called: a quorum present.

#### PETITIONS.

No. 2. By Mr. Curtiss: Memorial of James McNamara, contesting the right of the seat now occupied by Charles R. Henry.

On motion of Mr. Shoemaker,

The memorial was ordered spread on the Journal.

The following is the memorial:

*To the Honorable Body, the Senate of the State of Michigan:*

Your petitioner, James McNamara, of the city of Alpena, county of Alpena, and State of Michigan, comes before your Honorable Body and respectfully represents:

That he is an American-born citizen of the United States, a citizen of the State of Michigan, and is twenty-four years of age; and that at the general election held on the 4th day of November, A. D. 1884, he was a candidate for the office of State Senator for the 29th senatorial district, and that

Charles R. Henry, of An Sable, Iosco county, was also a candidate for the same office from the same district;

That there were eleven thousand two hundred and eighty-seven (11,287) votes cast for the office of State Senator, in the said district, of which number Charles R. Henry received five thousand seven hundred and seventy-four (5,774), and James McNamara received five thousand five hundred and nine votes (5,509);

That all the votes cast for Charles R. Henry for the office of State Senator are absolutely void, as your petitioner believes, for the following reason, to-wit:

Section 6, Article 4, of the constitution of the State of Michigan, reads as follows:

"No person holding any office under the United States (or this State) or any county office, except notaries public, officers of the militia and officers elected by townships, shall be eligible to or have a seat in either house of the Legislature; and all votes given for any such person shall be void."

Your petitioner therefore represents to your Honorable Body, that at the time of said general election and when the votes were cast for him for the office of State Senator, for the 29th senatorial district, the said Charles R. Henry held the office of prosecuting attorney for Iosco county subsequent to and on the 4th day of November last, upon which latter day the votes were cast for him for the office of State Senator as aforesaid.

That no resignation of Charles R. Henry as Prosecuting Attorney was filed with the County Clerk of Iosco county prior to the 4th day of November, A. D. 1884, as will be seen by the annexed affidavit of E. E. Williams, County Clerk of Iosco county.

Your petitioner respectfully submits to your honorable body that the said Charles R. Henry, holding the office of Prosecuting Attorney at the time the votes were cast for him for State Senator, was ineligible to receive such votes for the office of State Senator, according to the honest intent, sense, meaning, or letter of our constitution; and that all votes cast for said Henry for the office of State Senator are void.

Your petitioner further shows that he received a majority of all the legal votes cast for the office of State Senator, for the 29th senatorial district, and that your petitioner was duly and legally elected State Senator for said district.

And your petitioner prays, therefore, that in accordance with Article 4, Section 6, of the Constitution of the State of Michigan, that the votes cast for Charles R. Henry for State Senator be held void; that he be denied a seat in the Senate, and that your petitioner be declared duly elected, and be sworn in and admitted to a seat as a member of your Honorable Body.

And your petitioner will ever pray.

JAMES McNAMARA.

The President announced that the memorial would be referred to the appropriate committee when appointed.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 8, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to inform the Senate that Messrs.



Blacker, Brown, and Hayes have been appointed a committee on the part of the House to act with a like committee on the part of the Senate to wait upon the State officers and judges of the Supreme Court and invite them to attend a joint convention or conventions when the time for holding the same shall have been ascertained in Representative Hall to listen to such communication as the retiring Governor and the Governor-elect shall be pleased to make.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The message was laid on the table.

#### NOTICES.

Mr. Hawley gave notice that at some future day he would ask leave to introduce

A bill to amend sections numbered 3, 5, 6, 9, 10, and 11, of act numbered 259 of the session laws of 1881, entitled "An act to regulate the sale of spirituous, malt, brewed, or fermented, and vinous liquors, to prohibit the sale of such liquors to minors, to intoxicated persons, and to persons in the habit of getting intoxicated, to provide a remedy against persons selling liquors to husbands or children in certain cases, and to repeal all acts or parts of acts inconsistent herewith," approved June 10, 1881;

Also,

A bill to amend sections 1, 4, and 6, of act numbered 268 of the session laws of 1879, entitled "An act to provide for the taxation of the business of manufacturing and selling spirituous and intoxicating, malt, brewed, or fermented liquors," approved May 31, 1879, as amended by act number 156 of the session laws of 1881, approved May 19, 1881.

Mr. Hubbell gave notice that at some future day he would ask leave to introduce

A bill to amend continuous Section 2368, of Volume 1 of Howell's Annotated Statutes of Michigan of the year 1882, relative to interests in association personal estate;

Also,

A bill to amend continuous Section 8362, of the second volume of Howell's Annotated Statutes of Michigan of the year 1882, relative to proceedings to enforce lien.

The Sergeant-at-Arms announced a committee from the House, who informed the Senate that the House was ready to receive the Senate in joint convention, to listen to communications from the retiring Governor, and the Governor.

On motion of Mr. Belknap,

The Senate proceeded to the hall of the House of Representatives to meet the House in joint convention.

The Senate returned to the Senate chamber and was called to order by the President;

Roll called: a quorum present;

The President announced that the Senate had met the House in joint convention and had listened to the messages of the retiring Governor, and the Governor;

The Senate then took up the order of

## MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 8, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to transmit the accompanying messages of the retiring Governor and the Governor, this day delivered to the two houses in joint convention.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The following is the message of the retiring Governor, Hon. Josiah W Begole:

*Gentlemen of the Senate and of the House of Representatives:*

Section eight of Article five of the constitution of this State makes it the duty of the Governor at the close of his official term to give to the next Legislature "information by message of the condition of the State, and recommend such measures to them as he shall deem expedient."

## FINANCIAL CONDITION.

The financial condition of the State is most satisfactory. At the close of the fiscal year, the balance in the State treasury was \$1,142,330.69. Every indebtedness of the State is provided for, the balance in sinking fund being more than enough to pay the bonded indebtedness, which unfortunately is not due till 1890.

I join with the Treasurer in recommending that the law be amended so that the primary school interest fund, now paid by the Treasurer in May, be made payable semi-annually in May and November. It will prevent the Treasurer holding a large sum of money for seven or eight months, and be more convenient for the school districts.

## FIRE RELIEF.

The Fire Relief Commission, by its report of Dec. 7, 1882, had in its hands at that date to meet allotments which had been made to three school districts "to be paid when buildings have been completed" the sum of \$823.75.

Its report of Dec. 18, 1884, shows the following disbursements:

1883. Jan. 18. Paid school district No. 2, township of Argyle..	\$275 00
Feb. 13. Paid school district No. 3, township of Lincoln..	93 50
Oct. 24. Paid school district No. 3, township of Elmer..	275 00
Nov. 2. Unexpended balance returned to the Auditor	
General .....	180 25
	<hr/> \$823 75

The work of this Commission involving great labor and responsibility was intelligently and faithfully performed. For every expenditure proper vouchers have been deposited in the office of the Auditor General. The State owes the Commissioners a debt of gratitude for their valuable services, so cheerfully and promptly given, to relieve the sufferers from the disastrous fires of 1881.

## MICHIGAN UNIVERSITY.

In common with most citizens of Michigan I regard with increasing interest the growing prosperity of our noble University at Ann Arbor. Its wants will be presented to you in detail by the Board of Regents, and will, I have no doubt, receive your favorable consideration. About \$25,000 will be needed for each of the years 1885 and 1886 to aid in defraying current expenses, and for additions to its library. A considerable sum, say \$16,000 to \$20,000, is necessary for much needed repairs to buildings, and which cannot be longer delayed. You may perhaps also be asked for \$25,000 for a new building and the necessary machinery and apparatus for a mechanical laboratory. If the State desires that the University should meet the growing demand for instructors of engineers and other directors of industry in mechanical processes a new laboratory is indispensable. The building now occupied for that purpose is an abandoned wooden carpenter's shop. Already many valuable models have been acquired by donation, and I trust you will see the importance of making this department of the University, to which public attention is now so specially directed, like its other departments, an honor to the State.

I think the time has come when the practice of making appropriations by each Legislature to meet deficiencies in current expenses for the regular work of the University should be abandoned. I think such expenses should be provided for in a manner more consonant with the dignity of the University, and that shall give confidence to its managers in laying out its work. This can be easily done by increasing the 1-20 mill tax to that of 1-10 or 1-12. It should be a matter of congratulation and not of regret that the growth of the University and its consequent needs cannot be provided for by a tax which a dozen years ago seemed to be ample for the purpose. I commend the matter to your careful consideration.

## STATE NORMAL SCHOOL.

For the State Normal School at Ypsilanti, \$32,600 is asked for current expenses for the year 1885 and \$33,600 for 1886. A special appropriation of \$50,000 is asked to erect a new building for study-hall, practice school, and the department of physical sciences. The rapidly increasing attendance at the Normal School, notwithstanding a much greater stringency in the requirements for admission and the adding of a year to the lowest English course, indicates a healthy and permanent growth, that is not fully expressed by the figures which give the ratio of increase. The demand for more room should, I think, be met by the present Legislature. A delay of two years would, I fear, cripple the institution and retard its growth. I have no doubt you will give the matter that careful consideration which its importance demands.

## COMMON SCHOOLS.

In my message of two years ago I called the attention of the Legislature to the fact that the public schools of the State are maintained wholly by taxation, the reason assigned being that a certain amount of education is necessary to an intelligent exercise of the elective franchise. I asked that in justice to taxpayers the amount of education necessary to good citizenship, and which the State is bound to supply, should be determined as nearly as possible. If the district school can turn out intelligent voters, why sustain expensive high schools in cities by public tax? If high school instruction is necessary to intelligent voting, why not insist on the maintenance of a high school in every township, so that every citizen

may be qualified to vote intelligently? The taxpayers of cities have a right to enquire why it costs so much more to train up a voter in the city than it does in the country. I believe the time has come when this question should be carefully considered by the Legislature.

We have in this State not far from 7,000 school districts with 21,000 school officers to direct and superintend them. By making each township one school district the districts and officers would be reduced to about one-sixth the present number—over 17,000 officers would be dispensed with. When we consider the number of sisters, cousins, and aunts, not to mention brothers, cousins, and uncles retained in our schools by this army of 17,000, the magnitude of the change becomes apparent. While it may be easy to find in every township men thoroughly familiar with school affairs and competent to assume their management, there are many school districts not so fortunate. The changing of school district boundaries, so common under the present system, to avoid taxation, to make non-resident land owners assist in building as many school-houses as possible, or to provide for putting two quarrelsome, mischief-makers in different school districts to plague both, would be avoided. The burden of taxation would be equalized throughout the township, a few large landholders, unblessed with children of school age, could not form themselves into a school district and escape their just share of taxation for educational purposes, and the poorer sections of a township would enjoy as good educational advantages as any other. Children could attend the nearest school in their township, and the convenience of pupils would be more likely to control in the selection of sites for school-houses. I know of no important reasons why the change should not be made, and in the interests of justice, economy, convenience, and a better system of school supervision, I recommend that each township in the State be made by law a single school district.

#### AGRICULTURAL COLLEGE.

The receipts of this institution and interest on College lands are expected to pay salaries and current expenses. Appropriations for farm, necessary repairs, new buildings, etc., amounting to about \$36,000, will be asked for by the Board of Trustees. Besides this, a sum, not yet estimated, to establish a mechanical department and provide for a military school will be asked for. The progress and aims of this institution will warrant liberal appropriations at your hands. My personal acquaintance with the Board of Trustees, and their views and methods, warrant me in assuring you that such appropriations will be well and economically used.

#### STATE WEATHER SERVICE.

Most of the operations of agriculture are largely dependent on the weather, and a knowledge of its impending changes is of great value to this vast industry. The destruction of property and impairment of value by a single storm have reached hundreds of thousands of dollars. Timely warning of such coming changes of weather might prevent a large part of this waste. The benefits of storm signals to navigators are too well known to permit the thought of abandoning them—yet equal or even greater benefits are in store for agriculture by timely warnings of approaching storms of destructive waves of cold or desolating winds.

A State weather service which, besides collecting and disseminating information in regard to the meteorology of our State, shall place itself in such relations to the signal service on the one hand and the railways and mail service on the

other as to give the earliest possible information in regard to impending changes of the weather which threaten agricultural interests, would repay a hundred fold the cost of its maintenance. The grain grower, the hay maker, the stock raiser, and fruit culturist are alike interested in such predictions of the weather.

As the University has been made the center of our professional instruction, the Normal School the nucleus of all that pertains to our common school system, so the State Agricultural College should be the center of agriculture in its scientific aspect and relations. I think, therefore, the State weather service should be placed at the State Agricultural College and associated with its work and effort. Endowed and equipped for investigating and teaching the sciences which lie at the basis of agriculture, the College should become the center for collecting and disseminating all scientific information relating to agriculture. The collecting, compiling, and publishing the crop reports properly belong to the Agricultural College rather than the Department of State. I commend the subject to your thoughtful consideration, trusting that the interests of producers will receive as much attention at your hands as has been given to the carriers of farm products.

#### STATE LIBRARY.

The State Library is in a most satisfactory condition, and its management all that could be desired. The appropriation asked is \$3,000 for each of the years 1885 and 1886, and is moderate.

#### DEAF AND DUMB INSTITUTION.

For the Institution for the Deaf and Dumb at Flint the sum of \$50,000 is asked for current expenses for each of the years 1885 and 1886, or about \$190 per capita should the average attendance be the same as during 1884. For special purposes, the sum of \$36,825 is asked. Of this sum, \$12,500 is intended for new heating apparatus. The cost of heating the building imperfectly under the present system is about \$6,000 per year, and it is estimated that at least one-third this sum may be saved, and better results as to heating obtained, by the adoption of an improved method. The sum of \$10,000 is asked for the purchase of additional land, and it will be economy on the part of the State to make the purchase. It will furnish much needed pasturage, provide out-door employment for the pupils, and reduce largely the expense account for milk, butter, and vegetables. I can heartily recommend, from personal knowledge and investigation, the special appropriation asked for by this institution.

#### MICHIGAN SCHOOL FOR THE BLIND.

For the Michigan School for the Blind, at Lansing, the sum of \$31,000 is asked for each of the years 1885 and 1886 for current expenses, or about \$480.00 per capita if the number of pupils should be the same as during 1884. The appropriation for 1884 was about \$400.00 per capita of the average number of scholars in attendance during that year. The reasons for the large increase in cost per capita at this institution over that at Flint and other places, should, I think, be inquired into before an appropriation is made.

For special purposes, the sum of \$33,420 is asked. Of this sum, \$18,000 is asked to erect a chapel and dining-rooms. I can see no necessity for this expenditure at this time, or indeed in the near future. During the past two years, a new wing was added to the main building at a cost of \$35,000, and while the

proposed new chapel and dining-rooms would make the building more complete, I cannot but think it would better be deferred till a large increase in the number of pupils shall make it necessary.

#### INDUSTRIAL HOME FOR GIRLS.

For the Industrial Home for Girls at Adrian \$42,600 is asked for each of the years 1885 and 1886 for current expenses, or about \$280.00 per capita should the number of inmates be the same as during 1884. For special purposes the sum of \$26,500 is asked, which sum includes \$19,000 for a new cottage and furnishing. I do not think anything should be expended at present in enlarging this institution. I think every effort should be put forth to secure homes in families for its inmates as soon as it can reasonably be done, and do not think a prolonged residence in any institution of this kind, no matter how well managed, is of advantage to the average girl usually to be found there. In families and in society is, I think, their best security and greatest chance for permanent reform as soon as they have been brought to realize their condition and make good resolutions for the future. In this direction, rather than in establishing a great institution, I think our efforts should be directed.

#### STATE REFORM SCHOOL.

For the State Reform School at Lansing the sum of \$52,000 is asked for each of the years 1885 and 1886, and is deemed reasonable. For special purposes the sum of \$61,500 is asked. Of this sum \$40,000 is to be used in rebuilding the center of the main building, and is absolutely necessary. Before appropriating the sum of \$18,000 asked to build another double cottage I think it would be well to consider if something cannot be done to reduce the number of boys in the school. I join with the Board of Charities in regretting "that there is a seeming necessity for again increasing the capacity of the Reform School; that existing agencies have failed to provide elsewhere for the considerable number of boys unwisely and unnecessarily committed to the Institution; and, that so few, comparatively speaking, have found places in private families."

#### STATE PUBLIC SCHOOL.

For the State Public School at Coldwater \$39,000 is asked for each of the years 1885 and 1886 for current expenses being less than \$90.00 per capita should the number of children cared for be the same as during 1884. A special appropriation of \$12,000 is asked for, to cover nineteen items enumerated in the Superintendent's report, and which are, I think, all necessary.

#### ASYLUMS FOR THE INSANE.

The State provides for the support of our insane asylums by general law. An amount sufficient for a staff of officers as large as would be required if the institution was full, is authorized to be drawn annually for the payment of salaries. The Board of Control of each asylum is required to determine by careful trial and observation, for a sufficient time to secure accuracy, the actual cost per week for each patient of board, clothing, laundry, fuel, light, and all ordinary current expenses, and fix this as the price per week for the ensuing year. At the price per week thus fixed the officers of the asylum draw from the general fund an amount equal to the average number of State patients cared for. Accounts are

made out in the same way against counties for county patients. It is only when new buildings are to be erected, permanent improvements made, or special needs developed that the Legislature is called upon for appropriations.

It seems to me a like system might be adopted by the other State institutions with advantage to the State. Of course the per capita would vary in different institutions, some requiring a larger number of teachers or attendants according to the number cared for than others; but each institution would be to some extent a check upon the others, waste and extravagance would more likely be avoided, and a prudent, careful administration secured. It would also be a great saving of the time of the Legislature at each session, and remove all ground for the unseemly and possibly unwarranted charge that combinations are made by the several boards of State institutions to stand by each other and thus secure appropriations for each that neither alone would have been able to obtain.

For the Michigan Insane Asylum at Kalamazoo a special appropriation of \$25,000 will be asked. The purposes for which this sum is required, are a carpenter's shop, infirmary at male department, and a kitchen. All are necessary, and the appropriations should be made early in the session.

For the Eastern Asylum for the Insane at Pontiac, a special appropriation of \$30,000 to build two infirmaries is asked and should be granted.

#### NORTHERN ASYLUM FOR THE INSANE.

The Northern Asylum for the Insane at Traverse City is fast approaching completion, and if the necessary appropriation is made early in the session, may, it is believed, be completed at the time limited by contract—October 1, 1885. The amount asked for is \$125,725.74. Of this amount \$53,623.73 is for heating apparatus and plumbing, and this work should be commenced immediately.

The condition of our other asylums for the insane makes it a matter of the utmost importance that there be not a moment's unnecessary delay in the completion of the Northern Asylum. The Eastern Asylum at Pontiac, designed originally for 540 patients, to-day gives shelter to 663. In a recent letter Dr. Hurd, the Superintendent, says: "Every bed is occupied, and every available space to put a bed is filled up. Every vacancy has been used to accommodate urgent cases. In the majority of instances if a patient was removed in the morning, his place was filled before night. Not a day passes but it is necessary to refuse patients presented for admission." At Kalamazoo Asylum about the same state of things exists. Many insane persons are detained in our county jails and poor-houses, where for lack of proper treatment their chances for recovery are imperiled. Let me urge that the appropriation for the Northern Asylum be made at the earliest time possible.

#### IDIOTS AND IMBECILES.

There is no State provision for the care of idiots and imbeciles. A school and asylum for the feeble-minded has been urged by conventions of superintendents of the poor and by conventions of county agents of the State Board of Corrections and Charities. These county officers are familiar with the condition of our poor-houses, in nearly all of which are a greater or less number of idiots, who are sometimes almost as difficult to manage as insane persons, and for whose special care no provision can be made. It is undoubtedly true that under special training feeble-minded children are susceptible of mental and physical improvement, and it is, I think, clearly the duty of the State to provide for this class of unfor-

tunates. If the birth of a deaf and dumb or a blind child is regarded as a misfortune, how much more keenly is felt the birth of an idiot or imbecile. To be relieved of the care of such a child might save families from disintegration, and conscientious, watchful, and heart-broken mothers from untimely graves—victims of motherly devotion to their unfortunate offspring. I trust you will give this matter careful consideration, and provide for the care of this unfortunate class in a State institution.

#### PRISONS.

For the Michigan State prison at Jackson a special appropriation of \$14,000 is asked, covering five items, which you will find in the Warden's report, and all of which I deem necessary. The matter of purchasing a strip of land in front of the prison grounds and adjoining thereto, lying between Mechanic and Cooper streets, has been for years regarded as a mere question of time, so essential is its possession by the State on the grounds of safety, convenience, and completeness and symmetry of the prison grounds. I believe it should at once become the property of the State by purchase or condemnation, as shall seem most feasible.

For the State House of Correction at Ionia \$76,000 is asked for current expenses, and \$50,000 for salaries for the next two years, also a special appropriation of \$1,000. For the items and reasons for these appropriations I refer you to the Warden's report.

Our prisons at Jackson and Ionia maintain toward each other very much the relation of rival manufacturing establishments, and should, I think, be both placed under one Board of Prison Commissioners. One is regarded as a place of punishment, the others as a "Reformatory," and yet, from the character of the offenders admitted to each, it would be difficult to determine which is the prison and which the reformatory. Hardened offenders are committed to Ionia to mingle with those who have been committed from justices' courts for misdemeanors, and youthful offenders for their first offense sent to the State prison at Jackson.

I think under a single board both prisons would be better managed. The commissioners should, I think, be empowered to determine in which prison criminals should be kept. In this way, by a weeding out process, the more incorrigible would reach the State prison, and juvenile offenders, and those who do not belong to the criminal class at all, but are suffering the consequences of a single act committed in a moment of passion or under circumstances of great temptation, would find a more fitting place in the Reformatory at Ionia.

I am satisfied that an arrangement of this kind would be better than the present system of leaving the final selection of a prison in the hands of the circuit judges, most of whom seem to use no discretion at all in the matter.

I think the Wardens of our prisons should be appointed by the Board of Prison Commissioners, not by the Governor, and should hold their offices during good behavior; and that sub-officers of prisons should be appointed by the Wardens, subject to the approval of the Prison Commissioners.

#### PRISON LABOR.

The system of contract labor in our prisons should, I think, be abolished. The articles manufactured should be sold at the full market price, the convict and family or dependent relatives receiving the whole or such part of his earnings as the prison commissioners may deem just.

On this latter point I feel very much in earnest. The applications for par-



dons, which occupy so much of a Governor's time, reveal the fact that in most instances some person outside the prison is really suffering more than the convict himself. The prisoner is comfortably housed and clothed; has regular, wholesome, and abundant food, and all needed medical attendance, while the dependent father, mother, wife, or children are deprived of most of those comforts. Under the present system, if sentence is to be imposed on the party to suffer, these dependent ones should be brought into court and sentenced to lose the services of him who should provide for their wants, and to be deprived of the comforts, if not necessities, of life for the period prescribed by law.

I do not think the question of making our prisons pay their expenses should be a chief consideration in their management, nor do I think the State has any right on account of the wrong-doing of the son, husband, or father, to appropriate his earnings, making those innocent ones that God has committed to his care the principal sufferers by his crime.

#### CONVEYING PRISONERS.

The fees of sheriffs and constables for conveying prisoners under sentence to the prisons at Jackson and Ionia are now paid by the State. Numerous complaints have been received and from all parts of the State in regard to the exorbitant and illegal fees charged for such services. Bills have been regularly presented and paid, claiming more mileage than by the usual route. An extra day, not a moment of which was spent in conveying the prisoner or returning, is charged, and the expenses supposed to be incurred over night by the introduction of an extra day—including supper, lodging, and breakfast—are charged to the State, making in some cases nearly double the legal fees. Such bills are sworn to as a correct account of services rendered the State. The Wardens of the prisons have also called my attention to the unnecessary multiplication of guards and trips. A sheriff will invite his acquaintances to a number equal to the number of prisoners to be conveyed on a junketing trip to Jackson at the expense of the State. An officer will convey three meek tramps, anxious to winter at Ionia, at three trips when they might just as well have been taken at one time.

The sum drawn from the State treasury by these reprehensible and dishonest practices is considerable. I am disposed, however, to regard its demoralizing effect on officers to whom are entrusted the execution of the laws as the most serious result. It might seem harsh to call it "robbing the State by perjury," and yet when false accounts are sworn to, and payment received from the State, I do not know how it can well be designated in milder terms.

Several plans have been proposed to remedy the evils complained of. I think the best plan will be to make the conveying of prisoners under sentence to the prisons of the State a charge against the counties from which they are sent. The Boards of Supervisors will scrutinize more carefully and intelligently such bills than can a State officer who knows but little of the facts, and will, I think, put a stop to the abuses complained of.

#### BOARD OF CORRECTIONS AND CHARITIES.

Permit me to call your attention to the report of the State Board of Corrections and Charities. The importance of the work done by this Board in regard to estimates, and in the general oversight of our charitable and penal institutions can hardly be overestimated. Their careful, painstaking, and methodical

investigations of such State institutions are of great value to the Legislature. Their familiarity with the history and every-day workings of these institutions give them better opportunity to judge of their needs than can be obtained by committees of the Legislature from hasty visits during the session. After two years' close familiarity with the work of this Board I can heartily indorse their recommendations as worthy of the highest consideration.

#### SWAMP LAND COMMISSIONER.

Two years ago a bill passed the Legislature abolishing the office of Swamp Land Commissioner. I vetoed the bill, believing that the services of a Commissioner would be required for two years longer, but stated in my veto message that "the office may and I think should be abolished by the next Legislature." During the past two years so very much has been accomplished by the Commissioner of Swamp Lands, and so well, that I now agree with my Republican friends that there is no good reason, or indeed excuse, for continuing the office any longer.

#### THE IMMIGRATION BUREAU.

The act establishing a bureau of immigration places it under the supervision of the Governor. He draws the necessary funds from the State treasury, audits its bills, and pays them from the funds so drawn. He is, therefore, in a position where he becomes intimately acquainted with its operations and uses. After two years careful observation of its workings I am of the opinion that the Immigration Bureau should be abolished. As I found it organized there was a Commissioner at a yearly salary of \$2,000, and an Assistant Commissioner at a salary of \$1,500. The expenses for office rent, postage, stationery, incidental expenses, and bills for advertising amount to nearly \$5,000 per annum. During the past two years it has distributed over 50,000 copies of the book "Michigan and its Resources" in English, besides small amounts of the German and French editions. The yearly cost for books which are furnished by the State printer is over \$3,000, making the entire annual cost of the Bureau about \$11,500.

Nearly a year ago I dispensed with the services of the Commissioner. Since that time the efficient Assistant Commissioner has attended to all the duties previously performed by both except drawing the Commissioner's salary. I did not feel at liberty to interfere any farther, but have permitted the Bureau to run as I found it, leaving it to the Legislature to determine its future.

The operations of the Bureau have, I think, been disastrous to our workingmen. In numerous newspapers of this and other countries, has it been advertised that Michigan is a desirable place to emigrate to, and that her official commissioner at Detroit is prepared to give all necessary information, and will forward to any person who applies for it, free of expense, an interesting book giving valuable information on the subject. Persons out of employment, or dissatisfied with their condition, might fairly take it for granted that they were very much wanted in Michigan, or else the State authorities would not go to all this trouble and expense in the matter. The result has been that our labor market has been overcrowded from abroad, and this, too, at a time when our laboring men were suffering for want of remunerative employment.

It is possible that the operations of the Bureau may have aided railroad and other corporations to dispose of some of their lands. Indeed, some uncharitable persons claim that it was originally organized to afford free advertising for these corporations.

I recommend that the Immigration Bureau be immediately abolished and its effects transferred to the State Land Office, where all inquiries in regard to lands owned by the State, and all legitimate demands for the book, "Michigan and its Resources," can be met with but slight expense to the State.

#### LABOR BUREAU.

In accordance with my recommendation of two years ago the Legislature established a Bureau of Labor, under the direction of a Commissioner and Assistant. The work of investigation has been conducted earnestly and intelligently. A volume printed during the past summer contains valuable statistics and suggestions in regard to the work of the Bureau, and the duty of the Legislature in regard to it. I commend it to your thoughtful consideration.

#### MINERAL STATISTICS.

The office of Commissioner of Mineral Statistics is, I think, of little practical use to the State. He publishes annually a book of nearly 300 pages, giving the history and workings of each mine for the previous year; a work of much labor, but, as I believe, of little interest except to those operating the mines, or dealing in mining stocks. After sending to the several mining companies such copies as were recommended by the Commissioner, believing that the remainder should be got before the public somehow, I ordered a quantity to the executive office at Flint. My persistent efforts to give these books away have not been crowned with any remarkable degree of success.

I recommend that the office of Commissioner of Mineral Statistics be abolished, and a Commissioner of Mines appointed, whose duty it shall be to exercise supervision on behalf of the State of all mining operations; to see that the safety of the miners is secured and that every precaution is used to prevent avoidable accidents—indeed with summary powers to interfere where human life might possibly be imperiled; with authority to compel the closing of mines where they cannot safely be worked, the rejection of unsafe machinery, and the use of such machinery and apparatus as may seem necessary to protect the miners from all avoidable danger. Besides reporting such a brief statistical summary of mining operations as would be of general interest, it should be his duty to report all casualties among the operatives and their causes. I commend the matter to your thoughtful consideration.

#### TAX LAWS.

The tax law of 1882 fails to provide for the sale of lands for delinquent drainage taxes. The drainage act of 1881 provides that such sales shall be made "at the same time, place, and manner as lands are advertised and sold for other taxes." The provisions of the drainage act of 1881 and the tax law of 1882 do not harmonize, and it is, I believe, generally conceded that there is now no legal method of collecting delinquent drainage taxes by sale of lands. This is an important matter, and should receive early consideration.

The tax law of 1882 seems to have been carefully planned to give purchasers at tax sales a good title. I cannot but think that the rights of land owners who, through poverty, ignorance, or carelessness, have allowed taxes to go unpaid, should have received more consideration. By a single act of carelessness on the part of the poor man, or from lack of knowledge, a speculator may at the cost of a single

year's tax obtain a good title to the family homestead. I think the privilege of redemption for a series of years by paying the taxes and a penalty amply sufficient to compensate the speculator for his investment should be provided for.

#### INSURANCE LAWS.

It has been the policy for many years, to collect taxes upon the gross premiums received in this State by insurance companies of other States and countries. In most of the populous States the tax collected is about sufficient to cover the expenses of their insurance departments, which in this State, including all incidental expenses, have never exceeded \$8,000 per annum. For the year 1883, the tax collected of foreign insurance companies doing business in this State was \$126,064.31. If, as I believe, this large tax is really paid by the insured, it is unfair to place such a burden upon them for the benefit of others who do not hold policies as well as themselves, and the tax should be reduced so as to merely cover the expenses of the department of insurance.

The Commissioner of Insurance should, I think, possess a similar power in the case of coöperative societies insuring lives on the assessment plan to that conferred upon him in regard to mutual fire companies, to apply to a court for the appointment of receivers in case of insolvency. It should be made his special duty to investigate reported infractions of the law by agents of such organizations of other States and to prosecute offenders, as under the act of 1881 he is required to investigate, and prosecute for violations of the law by the agents of unauthorized fire companies, and there should be similar provisions for the paying of his expenses of investigation.

I think a law should be enacted defining an insurable interest in lives. Much imposition has been practiced on ignorant people by inducing them to invest money in insuring the lives of others under circumstances where the courts would give no relief owing to the lack of an insurable interest.

The term of the office of Commissioner of Insurance now terminates at the end of the second year, or as soon thereafter as his successor shall be appointed and qualified. Practically the change is made about the middle of January during the year of the biennial session of the Legislature. The reports of between two and three hundred companies of this and other states and countries are required to be made within the first two months of each year, and, if preparation for the annual report issued by the Commissioner should precede the time for a change, the new officer will find himself compelled either to continue upon the old plan, or instantly to devise and perfect plans of his own. Only in the latter case should he be held fully responsible for the first report issued under his administration. A better plan, now adopted in many of the States, is to make the term of this office commence and end at the middle of the year. This gives the new officer time to develop and apply his own ideas, the old officer opportunity to complete the work he has begun, and besides, gives to the Legislature the benefit of being able, through its committees, to consult with an experienced instead of an inexperienced officer in the insurance department.

Valuable suggestions in regard to insurance legislation may be found in the report of the Commissioner of Insurance.

#### ELECTION OF LEGISLATORS.

Less than one-fifth the members of the House and one-fourth the Senators were members of the last House and Senate. This I regard as a misfortune.

Experience is worth much in the work of legislation, and valuable time might be saved if a larger proportion of old members were returned. I think it would be better if members of the Legislature were elected for four years, one half each two years. In this way but little time would be lost in the beginning of the session in becoming familiar with legislative work, and more careful legislation might be expected.

#### SALARIES.

The salaries paid to our State officers and judges of the Supreme Court are a disgrace to the State. The salary of every State officer should be sufficient to compensate him for the work performed and responsibility assumed, and for all the expenses incident to his official position. With our present salaries no man of moderate means can afford to hold a State office. No matter how worthy or competent such a man may be, he is as really debarred from accepting a State office as if a constitutional provision against poor men holding office was in force. The salaries of the judges of the Supreme Court should at least equal the income of a first-class lawyer in one of our large cities, sufficient to permit them to devote their entire time and thought to the duties of their office.

I recommend that you submit to the people a constitutional amendment increasing the salaries of State officers and judges of the Supreme Court, and trust the people will at the polls vote for salaries that will place the poorest man, if competent and worthy, in a position to accept the highest office in the State.

#### PARDONS.

The pardoning power, with its unpleasant and wearying responsibilities, should not be placed upon the shoulders of one man. No matter how well deserved a pardon may be, popular opinion will always be divided as to its propriety. While a board may do wrong as well as a Governor, politicians and political papers, hard up for something to find fault with, will not be so likely to ascribe each pardon or commutation to total depravity on the part of the pardoning power.

After some consideration, I am inclined to think that the Supreme Court—with an extra clerk, to be known as pardon clerk, and whose duties should be prescribed by the court—would make an excellent Board of Pardons, probably as satisfactory to the people as any that could be named. On their recommendation only should pardons be signed and issued by the Governor.

#### ELECTION LAWS.

The recent election has called special attention to the laws of the several States governing the holding of elections. It seems to be generally conceded that the law of New York which provides that the three judges of election for each voting precinct shall not belong to the same political party, and that the two clerks of election must belong to different political organizations is admirably adapted to secure justice, and to give to the public confidence in a fair count. The New York method of destroying the ballots as soon as the count is made seems to prevent another temptation to fraud by tampering with the ballot box, as was done in the same election at Chicago. I would recommend that our law in regard to holding elections and canvassing the votes cast be made to correspond with that of New York. The perpetuity of our free institutions depends upon the sacredness of the ballot box and the fairness of the count, and every

precaution should be taken, not only to secure this result, but also to remove the slightest degree of suspicion that the rights of voters could be tampered with.

#### CONSTITUTIONAL AMENDMENT.

In my message two years ago I said "I cannot see how, in a republican government like ours, there should be any hesitation in submitting questions which concern the interests of the State and the well-being of its inhabitants to a popular vote. I, certainly, for one am willing to submit any and all questions which concern the voters of the State to themselves for determination, and abide the result." I also gave it as my opinion that "personal liberty" and the "freedom of the citizen" required that when any considerable number of voters asked for the submission of any question to a popular vote it should be submitted. The last Legislature, notwithstanding the presentation of petitions signed by scores of thousands of the good people of the State, refused to submit to a popular vote a constitutional amendment to suppress the traffic in intoxicating drinks. If it was supposed that by such refusal the question could be ignored or evaded, the result has shown that the Legislature of 1883 made a great mistake. All attempts to prevent an expression of the popular will on this question will only result in the renewal of a bitterer and more uncompromising agitation for its submission. I believe this Legislature should submit the question to the people.

#### SOLDIERS' BOUNTIES.

There are to-day in Michigan over two thousand veterans of the war for the Union, entitled by law to State bounties, who claim that they have received nothing from the State. The records of the Quartermaster's Department show that these bounties have been paid to the assignees of those entitled to receive them, in very many instances the assignees being persons connected with the Quartermaster's Department. I have been assured by veterans in whom I have the fullest confidence, that at the date of what purports to be their assignment and acknowledgment before a Michigan notary they were in distant States and territories.

The State cannot afford that charges of wholesale dishonesty against its officials, through forged papers or otherwise, should pass unnoticed. Rigid investigation should be made, and if wrong has been done to the soldier, his widow, or children, the State should at once right the wrong, and use every means to discover and punish the guilty parties.

I would therefore recommend that three commissioners, differing in their political relations, be appointed, with authority to send for persons and papers, and thoroughly investigate such charges as may be made in regard to soldiers' bounties. Only some such action can forever put to rest the accusations of wrong now so freely made against the State and individuals.

#### CLAIMS AGAINST THE UNITED STATES.

In the latter part of May, 1883, during the session of the Legislature, Mr. Friend Palmer, of Detroit, visited me at Lansing, and informed me that the United States was indebted to the State of Michigan on a claim which had accrued about the beginning of the civil war, and that the time during which the claim could be presented was about to expire. An act of Congress approved June 14, 1878, had limited the time during which such claims could be received by the

department at Washington to five years. He did not know, he said, how much could be collected, but claimed exclusive knowledge as to the nature of the claim, and this I found to be correct, as no official at Lansing could give me any information on the subject. If the claim was for war material the vouchers should have been in the Quartermaster General's and Auditor General's Offices, but no such vouchers have been found. Mr. Palmer offered to collect what he could for the State if allowed a commission of 25 per cent, and would make no better terms. He showed me that he had collected claims against the United States under a contract with Governor Bagley, by which he received 25 per cent on the first \$5,000 collected, 20 per cent on the second \$5,000, and 15 per cent on all subsequent amounts.

If anything was done in the matter it must be done at once. I had no alternative but to accept Mr. Palmer's terms or let the claim lapse. It did not seem possible to me that any considerable indebtedness had been permitted to remain uncollected during the administrations of Governors Crapo, Baldwin, Bagley, Crosswell, and Jerome, and to have passed from the recollection of the employes in the departments at Lansing. I therefore signed a contract with Mr. Palmer by which he was to receive 25 per cent of the amount he collected, and nothing for his services or expenses in case of failure. The contract was made June 1, 1883, and on June 9, five days before the expiration of the time limited by law, the claim was filed at Washington. To my surprise within about a year Mr. Palmer collected \$42,345.92 due the State of Michigan since 1861. This sum, less Mr. Palmer's percentage, I turned over to the Quartermaster General, and hold his receipt therefor. I also made another contract with Mr. Palmer, by which he is to receive 15 per cent for the collection of other claims not barred by statute. I have been careful to give the whole transaction in detail as it occurred. I did in the matter just as I would had I owned the claim individually, and have seen no reason to regret my action in regard to it.

#### STATE MILITIA.

The law relating to the compensation of State troops when called out to aid the civil authorities in preserving the peace should be amended. It provides that "in case of riot, tumult, breach of the peace, resistance to process, or when called upon by the civil authorities," they shall receive certain compensation, "such compensation and such rations and forage, and the cost of all ammunition used or purchased for use, by any officer in command of the State troops so called out, shall be audited, allowed and paid by the board of Supervisors of the county where such service is rendered." (Howell's Statutes, Section 915.) Last summer, on request of the sheriff of Iosco county, I ordered Company C of the 3d Regiment (Bay City) to go to Oscoda, 80 miles distant. An engine and car were chartered at Bay City, the Captain becoming personally responsible. The railroad company insisted on having its pay, and \$192.50 was advanced from the company funds, and till the Board of Supervisors of Iosco county has levied and collected the necessary tax the money cannot be refunded, or the company receive pay for their services.

Our State troops are required by law to respond to all such calls, and are never found wanting in any emergency. Provision should be made for the payment of bills for rations, forage, ammunition, transportation, etc., by the Military Board, the amount of such bills certified by them to the Auditor General should be charged by him to the counties requiring the aid of the State militia.

## DISEASES AMONG CATTLE.

Permit me to call your attention to the absence of efficient laws for the prevention of the spread of contagious diseases among cattle. The creation of the Bureau of Animal Industry by Congress at its last session put this matter under the control of the United States Commissioner of Agriculture so far as action by the general government is concerned, but it was not thought best to give him full control, and provision was made for the coöperation of the several States. In case of an outbreak, such as that which happened during the last year in Illinois, coöperation is absolutely necessary. In view of the possible and not improbable danger of the introduction of contagious diseases among our cattle, and the very great loss that would result therefrom, authority to act promptly should be lodged in a commissioner or board of commissioners. In this way only can our herds be preserved should an emergency arise calling for immediate and summary action.

## DANGER FROM CHOLERA.

Cholera has never prevailed as extensively in Europe as during the last few months without sooner or later coming to the United States. From our situation on the great lines of travel and of immigration, Michigan is especially liable to receive infected persons or infected baggage. Our local boards of health are authorized to "make such regulations as they may deem necessary for the public health and safety, respecting any articles which are capable of containing or conveying any infection or contagion, or of creating any sickness, when such articles shall be brought into, or conveyed from, their township, or into or from any vessel." (Sec. 1636, Howell's Annotated Statutes.) Methods of travel have changed so much since the law was passed, and the amount of travel has become so great, as to make the inspection of travelers and the proper care of infected persons and infected baggage, at certain points, in time of great danger from an infectious disease like cholera or small-pox, a State or National rather than a local affair. The cities of Port Huron and Detroit can hardly be asked to bear the expense of such an inspection of the thousands of immigrants annually entering the country at these cities, as shall protect the inhabitants of Wisconsin, Illinois, Iowa, Minnesota, and Dakota from the introduction of dangerous contagious diseases. Yet there are times when, if such an inspection is not maintained, every town in Michigan is liable to receive infected immigrants or infected baggage, and to have a number of its inhabitants infected before the danger is known. The numerous outbreaks of small-pox thus traceable to immigrants, detailed in the reports of the State Board of Health, show that the danger demands consideration. The attention of the National government has been repeatedly called to this subject, and for one year an inspection of immigrants was maintained at Detroit and Port Huron by the coöperation of the National Board of Health with the Michigan State Board of Health.

In view of the danger from cholera, I would recommend an appropriation for an epidemic contingent fund, to be used in the discretion of the Governor, under the direction of the State Board of Health, for the prevention or suppression of outbreaks of cholera, should the danger become imminent and a necessity arise for the use of said fund or any part of it.

I would also recommend to your consideration the question whether the law relating to the prevention and suppression of epidemics of contagious diseases requires any changes as regards inspection and care of infected travelers and



their effects at points where the amount of travel is so great as to practically place the work beyond the resources of the local board of health; and whether the Legislature ought not to invite the coöperation of the national government in such inspection at points in Michigan where the inspection would benefit all the Northwestern States, especially as the national government claims the sole right to tax the immigrants for the expenses of an inspection.

#### CONCLUSION.

I feel that it would be ungrateful in me to close this message without due acknowledgment of the valuable assistance and hearty co-operation of the other State officers. The mutual kindly feeling which has characterized my associations with all the officers and employes of the State will always be pleasant to remember. Although performing in some sense an official duty in reading to you this message, I am no longer Governor of Michigan. Another has been selected by the people to take my place, and has entered upon the duties of his office. If you give him the same hearty sympathy and support that I received from the Legislature of 1883, he will have nothing of which to complain.

Praying that you as a Legislature and Governor Alger as chief executive may be guided by infinite wisdom, so that your labors here may be a credit to yourselves and a blessing to the State, I close with the kindest wishes and feelings to all, the last duty required of me from having held the office of Governor of Michigan.

JOSIAH W. BEGOLE.

The following is the message of the Governor, Hon. Russell A. Alger:

GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES,—A recent somewhat protracted illness has prevented me from presenting as full a report to you as I had intended.

I will, however, communicate to you from time to time as matters of importance present themselves.

#### FINANCE.

The finances of the State are in a good condition, as is shown by the report of the Treasurer. I commend his recommendation to distribute the primary school fund semi-annually.

#### TAXATION.

I recommend the enactment of a law similar to the one now in force in the State of Ohio, for the collection of all taxes semi-annually, including State and county, municipal and specific. Under our present system large sums are collected and held by the County Treasurers, or in the State Treasury, or deposited in banks many months before they are paid out, the banks paying a very low rate of interest on sums deposited with them. It would be much better for the tax-payers if this amount could be divided and paid in a short time before being needed for disbursement, thus serving the purposes of the State fully as well as under the present system, relieving in a measure the tax-payer, and beside saving the risk which there always is, to a greater or less extent, in carrying large sums of money in any place. The State of Ohio collects its taxes December 20 and June 20, charging a penalty of 15 per cent upon delinquents (which I would make 10 per cent. instead), advertising the same after the latter date. No

risk, and with the exceptions of blanks, no additional expense should be incurred in this semi-annual collection, as officers would simply be required to do the additional work at the present cost.

#### THE UNIVERSITY.

This institution is one in which every citizen of the State takes a just pride. The sum actually necessary for the different departments named are made up as follows :

Assistant in the mechanical laboratory .....	\$1,000 00
Homœopathic college .....	2,000 00
Additional professor for the same .....	2,200 00
Homœopathic hospital .....	2,000 00
Dental college .....	6,000 00
University hospital .....	5,000 00
Libraries .....	5,000 00
Total .....	<hr/> \$23,200 00

In addition to these items there must be expended from \$16,000 to \$20,000 for repairing buildings.

Nothing has been done in the way of such repairs for many years, and the sum named seems absolutely necessary to preserve them. I am sure your committees will see the necessity for these expenditures when they visit that institution. As biennial appropriations have to be made for its maintenance, I suggest that the committees look into the matter and see if some feasible plan cannot be devised for increasing the regular fund, thus saving the necessity of asking for money to defray its necessary expenses at every session of the Legislature.

#### THE AGRICULTURAL COLLEGE.

A very full report of this college has been made by its president to the State Board of Agriculture and forwarded to you according to law, giving in detail its work as also its needs. As the prosperity of every State depends upon its agricultural interests, it is needless for me to say that I know this institution will receive careful consideration at your hands and its requirements be fully met.

#### THE STATE NORMAL SCHOOL.

The Board of Education has furnished a very full report of this school, and it is doing most excellent work, making it possible for any young person desiring to do so to secure a thorough education at a nominal cost. I need not add that I am sure your committees will make such reports as will secure the necessary appropriation for its absolute needs.

Right here I would suggest that if some means could be adopted to secure such school books for our common schools as will teach the science of farming, it would, in my judgment, aid young men who are to pursue the vocation of farming, very much, in their future years.

The Institution for the Education of the Deaf and Dumb, as also the School for the Blind, have made very full reports, which have been commended by the State Board of Corrections and Charities. I do not hesitate to venture the opinion that you will see both amply provided for, as the unfortunate inmates of both institutions are helpless without the aid of the State.

## STATE PUBLIC SCHOOL AT COLDWATER.

The trustees of this school, as also of the Industrial Home for Girls at Adrian, have made full reports of their work, as also of their needs, which have been indorsed by the State Board of Corrections and Charities. I commend them also to your careful consideration. Both are doing most commendable work in the way of reclaiming homeless and wayward girls.

## ASYLUMS.

Michigan Asylum for the Insane at Kalamazoo—This asylum needs the following appropriations :

For new carpenter shop and machinery .....	\$3,000 00
For an infirmary at male department .....	15,000 00
For a kitchen with sleeping apartments at male department .....	7,000 00
Total .....	<hr/> \$25,000 00

The question of purchasing a farm for pasturage in order to secure milk at a reduced rate I commend to the careful consideration of the committees.

Eastern Michigan Asylum at Pontiac—This asylum asks for an appropriation of \$30,000 for the erection of two hospital buildings, one for the male and one for the female department, which I also recommend be granted.

Northern Michigan Asylum at Traverse City—This asylum, as you will see by the report of the commissioners, needs about \$120,000 for its completion. I urge upon you an immediate appropriation for the same, that the work may be hurried along in order that it may be completed in the early autumn. The first two named asylums are filled far beyond their capacities and must be relieved.

Michigan Asylum for Insane Criminals—This asylum is in an advanced stage of construction, and according to the report of the trustees, will need an additional appropriation for its completion. I also urge that this appropriation be made at once that the asylum may be completed at an early date, as it is very necessary to remove from the other asylums that dangerous class of patients who ought not to be confined with other than their own class. I have thus recommended that these asylums be granted the full amount asked for, as I believe the sums named are necessary for their completion ; and while the sums aggregate a large amount we must bear in mind that these institutions are crowded far beyond their capacities, and will be scarcely less so when the two now in process of completion are occupied, as there are hundreds of insane in the State who are not and cannot be accommodated within their walls, and Michigan is always generous toward any unfortunate class who are unable to care for themselves.

## JOINT RESOLUTIONS.

I recommend the adoption of a joint resolution submitting an amendment to the constitution creating a board of pardons, who shall have full and exclusive power over that department.

Also, that a joint resolution be adopted submitting an amendment to the constitution prohibiting the sale of intoxicating liquors in the State.

On account of the large number of disabled soldiers in this State and the healthfulness of its climate, I recommend that a joint resolution be adopted asking Congress to make an appropriation for a Soldiers' Home, to be located at some favorable point within the State.

## BOUNTIES.

There have been many pledges for bounties made to men who enlisted in the army that have not been fulfilled. I trust you will give this matter your careful consideration. No pledges should be more scrupulously kept than those made to the defenders of our government.

## STATE FISHERIES.

By the Commissioner's report you will see that fish culture is being made a success. If their recommendations can be carried out the slight expense necessarily incurred in this department will, in due time, be returned many times from the fish thus raised and protected.

## THE WORLD'S EXPOSITION AT NEW ORLEANS.

Michigan is represented at this exposition and a fine display of its products is already on the ground. The amount necessary to defray its expenses will not exceed \$11,000, and I therefore recommend that a sum not exceeding that amount be appropriated for that purpose.

## MILITARY.

The military organizations of the State are in excellent condition, and all our citizens take a just pride in them. I recommend that a law be enacted directing the State Treasurer to pay all legal expenses incurred in case a company or any body of State troops is ordered to any location in the State to suppress riots, or for other purposes, the State collecting the same from the county. Under the present law, the county to which they are ordered is obliged to pay the bill, but frequently it is impossible for the troops to collect the money for a long time, and, as there is no other provision for paying these expenses, the companies have to advance the money both for transportation, rations and other necessary expenditures.

## STANDARD TIME.

As all the railroads in the State use Central standard time, and many of its cities and towns have adopted the same, I recommend that a law be enacted making Central standard time legal within the State.

## STATE SWAMP LAND COMMISSIONER.

I recommend that the commissioner appointed for the ensuing term be allowed a clerk, but not a deputy; that all matters pertaining to the office be closed within that time and turned over to the Commissioner of the State Land Office, and that the office be then abolished.

## COMMISSIONER OF IMMIGRATION.

I have debated somewhat, in my own mind, as to which is the wisest course to recommend in relation to this office; that is, whether to continue or abolish it. There have within the last two years over 2,000,000 people passed through this State, or close by its southern boundary, for the great Northwest, who have migrated from other States or have come to this country to make homes for themselves. Men are constantly leaving the old States for a home in the West. If a successful effort can be made to turn a portion of this great tide of people

into our State by informing them of the superiority of its soil and the advantages of living near a market, the cost of conducting the office (which is much smaller than many mercantile firms pay for advertising their business) would be well invested, and returned to the State many fold in way of taxes upon improvements made by them. Of course, the great railroad corporations hold out every possible inducement to people going west by glowing advertisements, etc., for the purpose of securing their transportation. I think if Michigan would properly advertise her undeveloped lands, and at a small cost a prudent man were stationed in New York to select from the emigrants those who have money to purchase lands, and induce them to come here, the benefits would justify the expenditure. I have, therefore, decided to recommend that the former be carefully tried and that the office be not abolished until such trial is fairly made.

While our State is open to the world, no special efforts should be made to import labor, purely as such, while so many men are unemployed as at present.

#### THE IONIA HOUSE OF CORRECTION.

This institution needs, in my opinion, a thorough overhauling, and I commend to your careful consideration many suggestions and recommendations made by the warden in his official report. Under the present law this prison is filled far beyond its capacity with convicts, nearly one-half of whom are sentenced by justices of the peace from different parts of the State, mostly for drunkenness; and many instances of its abuse are known, and doubtless many more exist which are not known. A man found intoxicated by a constable or other officer is frequently taken before a justice of the peace and sentenced to this prison for that offense. He is thus disgraced for life, as is also his family, for the offense of getting drunk, or perhaps because he has no friend to intercede for him. The abuses that are liable to occur can best be described by the following which took place during Gov. Jerome's term of office. The facts were given me by the Hon. E. C. Watkins, then its warden:

A man arrived in Saginaw and applied at the office of a lumber firm for work. He was told to come in in the afternoon and he would be hired. Upon going out he met a man upon the street who asked him if he was a stranger, and answered that he was and from Canada and seeking employment. The man accosting him, who it seems was an officer, informed the stranger that it was necessary to "register" upon coming there, and took him to an office where another man, who it appears was a justice of the peace, was sitting at a desk. After remaining there a short time he was taken out and conducted to the depot by the officer and taken directly to Ionia under arrest. Arriving at the house of correction the warden examined his papers and found he had been committed for a year as a vagrant. He protested his innocence, and the warden immediately wrote the facts as given by the man to Gov. Jerome who pardoned him, and, I understand, took some action against the officer and justice of the peace who had thus conspired to send this man to prison for the purpose of getting the fees.

How far this abuse can extend can only be imagined; I therefore recommend that a law be passed prohibiting any person from being sentenced to this institution by a justice of the peace, and that no prisoner be sent there for a less term than six months. This institution should not be used as a "sobering-off" place for men who occasionally get intoxicated. Such men should be kept in the county jails where the offense is committed. I am informed that officers frequently make long journeys with a single prisoner where there are several to be taken, simply to increase their traveling fees. According to the State Treasurer's report there was paid for transportation of convicts to that institution

during the past year the sum of \$26,682.13, while the cost of carrying convicts for the State prison at Jackson for the same period was \$4,805.93. Convicts received at this institution are clothed in prisoners' garb, and when discharged are furnished new clothing if that worn by them when taken in is not suitable for them to appear as comfortably dressed men. This item makes up a large account. There are two classes which should not be sent to that prison. First, those who are picked up when intoxicated, before mentioned, and, second, worthless tramps who have no pride or home and are willing to go there for the winter. The prison is now filled to overflowing, with little work for its inmates, there being more than 200 confined within its walls in excess of its accommodations, and at the rate it is being filled, if that class of people are to be imprisoned as convicts, the State of Michigan cannot build prisons fast enough to hold those who are convicted, especially if the present stringent times should continue to exist. I sincerely hope this matter will be thoroughly investigated during the session of this Legislature, and the earlier it is done the better for the public good.

#### THE CONTRACT LABOR SYSTEM, ETC.

I recommend the abolition of the contract labor system, and that a law be passed prohibiting the importation of criminals from other States or territories to be incarcerated within the walls of any prison within the State. It concentrates criminals in Michigan and competes with the honest labor of the State. Michigan is not so poor as to need aid of that kind.

I have asked the different boards connected with the several State institutions to make their wants simply what is absolutely necessary for carrying them through the next two years, and while under the present financial pressure not a dollar should be expended not absolutely necessary. I am sure that you will see that none of the State institutions suffer for lack of means to carry them along.

I recommend that as great a reduction in taxes be made as possible. That no money be collected for the purchase at a large premium of State bonds not yet maturing, or for any other purpose not absolutely essential, but that the greatest possible economy be practiced in every department of the State.

And now, gentlemen, let us hope that you will commence at once to push along the work of legislation, making the session as short as possible.

I hope and trust that the greatest harmony may prevail in all your deliberations, and that all our actions may be guided by the Divine Hand.

(Signed)

RUSSELL A. ALGER.

*Executive Office, Lansing, Jan. 8, 1885.*

The President also announced the following:

HOUSE OF REPRESENTATIVES. }  
Lansing, January 8, 1885. }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following concurrent resolution:

*Resolved by the House* (the Senate concurring), That when the Legislature adjourns to-day, the 8th inst, it stand adjourned until Wednesday morning, the 14th inst, at 9 o'clock A. M. ;

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN.

*Clerk of the House of Representatives.*

On motion of Mr. Hertaler,  
The Senate concurred in the adoption of the concurrent resolution.  
The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 8, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following concurrent resolution:

*Resolved* (the Senate concurring), That the Governor's private secretary be and hereby is authorized to appoint a messenger for duty in the Executive office;

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The question being on concurring in the adoption of the resolution,  
The Senate concurred.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 7, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following concurrent resolution:

*Resolved* (the House concurring), That George A. Smith be and is hereby appointed Assistant Postmaster of the House and Senate.

In the passage of which the House has concurred;

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of House of Representatives.*

The message was laid on the table.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 7, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following concurrent resolution:

*Resolved* (the House concurring), That Mrs. Josephine Robinson be and is hereby appointed Postmistress of the House and Senate, with power to appoint a postoffice messenger;

In the passage of which the House has concurred.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The message was laid on the table.

The President announced the following:

SENATE CHAMBER, }  
Lansing, January 7th, 1885. }

In pursuance of the resolution of a Senate, I have appointed S. Harry Haines as my messenger.

P. Q. STONER,  
*Sergeant-at-Arms.*

On motion of Mr. Hertzler,

The Senate adjourned.

The President announced the Senate would stand adjourned until Wednesday next, at 9 o'clock A. M.

*Lansing, Wednesday, January 14, 1885.*

The Senate met and was called to order by the President at 9 o'clock A. M.  
Prayer by the Rev. Mr. Valentine.

Roll called: quorum present.

Absent without leave: Senators Shoemaker and Spencer.

On motion of Mr. Austin,

Leave of absence was granted to Mr. Shoemaker for the day.

On motion of Mr. Hertzler,

Leave of absence was granted for the day to all absentees.

The President announced that the Journal would now be read, in accordance with the requirements of Rule 1;

Whereupon,

Mr. Belknap moved that the further reading of the Journal be dispensed with for this session.

Which was adopted, two-thirds of all the Senators present voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Pulver,
Belknap,	Edwards,	Kempf,	Sherwood,
Brown,	Greiner,	Monroe,	Smith, G. A.,
Carpenter,	Hawley,	Moon,	Smith, S. W.,
Carveth,	Heisterman,	Pennell,	Stephenson,
Curtiss,	Henry,	Phelps,	Woodruff,
Davenport,	Hertzler,		26

#### NAYS.

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#### PETITIONS.

No. 3. By Mr. Hawley: Resolutions adopted by the board of aldermen of the city of Detroit.

The following are the resolutions:

WHEREAS, There are a large number of industries surrounding the city of Detroit, employing many thousand men; and

WHEREAS, Such factories are now enjoying to a great extent all the privileges enjoyed by manufactories and property-holders in the city of Detroit, including protection of an efficient fire department, the supply of water, gas, and other advantages, built up and maintained at the expense of the property holders in the city; and



WHEREAS, The city of Detroit and its taxpayers are now being deprived of a large amount of taxable property by reason of the narrow limits of our city and the extension of its manufacturing industries beyond its boundaries; therefore,

*Resolved*, That the Legislature of the State of Michigan be and they are hereby respectfully requested to pass a bill at the present session for the extension of the limits of the city sufficient to incorporate all of the suburban property now enjoying the benefits of the city;

*Resolved*, That the clerk be instructed to forward to the State Senate and House of Representatives copies of this resolution.

STATE OF MICHIGAN, }  
City of Detroit. } ss.

*City Clerk's Office, Detroit.*

I, Alex. A. Sænger, clerk of the city of Detroit, in said State, do hereby certify that the foregoing and annexed paper is a true copy of a resolution adopted by the board of aldermen at a session held on the 6th day of January, 1885, as appears from the journal of said board remaining in the office of the city clerk of Detroit, aforesaid; that I have compared the same with the original in my office, and the same is a correct transcript therefrom, and of the whole of such original.

In witness whereof, I have hereunto set my hand and affixed the corporate  
[L. S.] seal of said city at Detroit, this 9th day of January, A. D. 1885.

ALEX. A. SÆNGER,

*City Clerk.*

On motion of Mr. Hawley,

The resolutions were ordered printed in the Journal and referred to the committee on cities and villages.

No. 4. By Mr. Sherwood: Resolutions of the Board of Supervisors of Cass county, relative to railroad taxation and amendment of the tax laws of 1882.

On motion of Mr. Sherwood.

The resolutions were ordered printed in the Journal, and referred to the committees on railroads and the judiciary.

The following are the resolutions:

WHEREAS, Under the present unjust system of railroad taxation in Michigan, railroad property pays less than half the amount of taxes paid by other property in proportion to the actual value of said property; therefore,

*Resolved*, That we respectfully request our Representatives in the Legislature to use all honorable means in their power to secure the adoption of a railroad tax law, similar to that of New York taxing railroad property in the municipalities where located, in the same manner that other property is taxed.

*Resolved*, That the Clerk of this Board is hereby requested to send a copy of this preamble and resolution to our State Senator, H. C. Sherwood, and a copy to our Representative, R. J. Dickson, with a request that they be referred to the proper committee.

A true copy, attest:

H. R. TAYLOR.

SAMUEL W. BREECE, *Clerk.*

Also, the following resolution was unanimously adopted:

*Resolved*, By the Board of Supervisors of Cass county, that our Representatives in the State Legislature be requested to secure an amendment to the

tax laws of 1882, so as to extend the time in which the tax roll shall be placed in the hands of the township treasurer, to the first Monday of January, and the time for the collection of tax to the first Monday of March;

And that the Clerk of this Board send certified copies of the above resolution to the Senator from this Senatorial District, and the member of the House of Representatives from this county.

A true copy, attest:

JOHN HUFF.

SAMUEL W. BREECH, *Clerk*.

The President announced the following

#### COMMUNICATIONS FROM STATE OFFICERS.

EXECUTIVE OFFICE, MICHIGAN, }  
Lansing, January 8, 1885. }

*To the President of the Senate:*

In pursuance of a concurrent resolution passed this day, I have appointed Harry S. Hulbert, as messenger at this office.

Respectfully,

GIL. R. OSMUN,  
*Private Secretary.*

#### NOTICES.

Mr. Kempf gave notice that at some future day he would ask leave to introduce

A bill to authorize the holding of township elections and other township meetings within the limits of cities and villages.

Mr. G. A. Smith gave notice that on some future day he would ask leave to introduce

A bill providing for the semi-annual payment of taxes.

Mr. Pennell gave notice that at some future day he would ask leave to introduce

A bill to amend section 1 of act No. 105, of the session laws of 1869, entitled, "An act for the encouragement of agriculture, manufactures, and the mechanic arts," being section 2298 of Howell's Annotated Statutes.

Mr. Stephenson gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Manistique.

Mr. Davenport gave notice that on some future day he would ask leave to introduce

A bill to authorize the county of Saginaw to borrow the sum of one hundred thousand dollars, and to issue its bonds therefor for the purpose of paying certain bonds heretofore issued by said county, under authority of act No. 4 of the session laws of 1865.

Mr. Pulver gave notice that on some future day he would ask leave to introduce

A bill to amend section 6856 of Howell's Annotated Statutes relative to jurisdiction of justices of the peace.

Mr. Henry gave notice that at some future day he would ask leave to introduce

A bill to amend sections 1 and 3 of chapter 5 of an act entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement and maintenance of highways and private roads, and the build-

ing, repairing, and preservation of bridges within this State," being act No. 243, public acts of 1881.

Mr. Hueston gave notice that at some future day, he would ask leave to introduce

Joint resolution declaring the necessity of establishing Soldiers' Homes for disabled soldiers and marines who have become disabled since discharged from service, to appoint a joint committee to investigate and report the feasibility of the Dearborn arsenal property for such Home, and what action by Congress should be requested ;

Also,

A bill to amend sections 1 and 2 of chapter 229 of the compiled laws of 1871 relative to statute limitations in certain cases ;

Also,

A bill entitled "A bill to regulate the sale and manufacture of drugs and medicines in the State of Michigan."

Mr. Hawley gave notice that on some future day he would ask leave to introduce

A bill to detach certain portions of territory from the township of Springwells, Greenfield, and Hamtramck, and to annex the same to the city of Detroit ;

Also,

A bill to provide for the representation of different political parties on boards of elections.

#### MOTIONS AND RESOLUTIONS.

Mr. Hertzler offered the following resolution :

*Resolved*, That the President of the Senate appoint a committee of three on the assignment of rooms for the use of the various committees ;

Which was adopted.

Mr. Hueston offered the following resolution :

*Resolved*, That the committee on supplies and miscellaneous expenses be instructed to procure and keep a supply of Lansing mineral water for the use of the Senate ;

Which was adopted.

Mr. Belknap offered the following resolution :

*Resolved*, That the committee on appropriations and finance be, and they are hereby directed to ascertain and report to the Secretary of the Senate the number of miles of travel for which each member, officer, and employé will be entitled to draw mileage ;

Which was adopted.

Mr. Kempf offered the following resolution :

*Resolved*, That the President be requested to appoint a special committee of three to separate the various recommendations of the retiring Governor and of the Governor, as made in their respective messages, and that after such separation that the various recommendations be referred to the proper committees with instructions to report to the Senate at an early date ;

Which was adopted.

Mr. Austin offered the following resolution :

*Resolved*, That the State printer be instructed to forward one copy of the daily Journal to the pastors of the churches of the city of Lansing who open the sessions of the Senate with religious services ;

Which was adopted.

## INTRODUCTION OF BILLS.

Mr. Hubbell, previous notice having been given and leave being granted, introduced

Senate bill No. 6, entitled

A bill to amend continuous Section 8382, of the second volume of Howell's Annotated Statutes of Michigan of the year 1882, relative to proceedings to enforce liens.

The bill was read a first and second time by its title, and referred to the committees on the judiciary and labor jointly.

Mr. Hubbell, previous notice having been given and leave being granted, introduced

Senate bill No. 7, entitled

A bill to amend continuous Section 2368, of Volume 1 of Howell's Annotated Statutes of Michigan of the year 1882, relative to limited co-partnerships.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 8, entitled

A bill to establish uniform time.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 1, entitled

Joint resolution to hasten the civilization of Indians.

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

Mr. Hueston, previous notice having been given, and leave being granted, introduced

Senate bill No. 9, entitled

A bill to amend sections 3, 4, 7, and 15 of chapter 218 of the compiled laws of 1871, relative to the foreclosure of mortgages by advertisement.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

By unanimous consent

Mr. Hubbell offered the following concurrent resolution :

WHEREAS, The senate of the United States did pass a resolution of the date of April 22, A. D. 1884, instructing the Honorable Secretary of War to cause an inquiry to be made as to the cost of construction of the Lake Superior Ship Canal and the Portage Lake Improvement Canal; and also to inquire upon what terms said canals might be purchased by the United States, and make free water ways to the commerce of the great lakes;

AND WHEREAS, The Honorable Secretary of War did designate Col. O. M. Poe, of the United States Army, to make such examination and report, in conformity to said resolution;

AND WHEREAS, The Honorable Secretary of War did report on or about January 5, A. D. 1885, that Col. Poe had made such examination, and on whose report did recommend that Congress take steps to purchase the same, and make them free water ways to the commerce of the lakes;

AND WHEREAS, the tolls collected by these canals are a serious burden to a numerous people and a very large industry embraced inside the limits of the territory supplied by these canals;

AND WHEREAS, these water ways should be made free channels to the great traffic that is now springing up with Minnesota, Iowa, and the country along the Northern Pacific R. R., that passes through Lake Superior, finding an outlet to the east and sea-board.

AND WHEREAS, the dangers of the navigation of Lake Superior may be greatly lessened by the improvement of this water way, and make a safe shelter at a point where the dangers of this lake are the greatest, and most serious disasters have occurred; therefore

*Be it resolved, by the Senate of the State of Michigan* (the House concurring therein), that our Senators and Representatives in Congress be, and they are hereby requested to use their best endeavors to secure such legislation by Congress as will result in the United States acquiring the title to and the ownership of the ship canals connecting the waters of Keweenaw bay, by way of Portage lake, with the waters of Lake Superior, in the upper peninsula of Michigan, in accordance with the report of the honorable Secretary of War presented to the United States Senate about Jan. 5, A. D. 1885, in reply to its resolution of April 22, A. D. 1884, and making them free for the navigation and commerce of the great lakes.

Mr. Kempf moved the concurrent resolution be referred to a special committee of three;

Which motion prevailed.

The President made the following announcement of special committees:

Committee to separate the different parts of the outgoing and incoming governors' messages and recommend them to the consideration of the different standing committees of the Senate; Senators Kempf, Hubbell, and Curtiss.

Committee to assign committee rooms; Senators Hertzler, S. W. Smith, and Edwards.

Committee on concurrent resolution relative to Portage Lake ship canal; Senators Kempf, Curtiss, and Carveth.

The President made the following announcement:

In accordance with a resolution authorizing me to do so, I hereby make the following assignments of desks to newspaper reporters:

Secretary desk No. 3—Joseph Greusel, Detroit Free Press.

Desk No. 4—Clarence H. Leonard, Detroit Post.

Desk No. 5—George M. Dewey, Owosso Times.

Desk No. 3—R. B. Ross, Detroit Evening News.

Desk No. 2—Fred M. Peck, Detroit Evening Journal.

Desk No. 1—C. A. Webster, Detroit Times.

Desk No. 6—James V. Barry, Chicago Tribune.

Desk No. 7—Sergeant-at-Arms.

On motion of Mr. Austin,

The Senate took a recess until 3 o'clock this afternoon.

## AFTERNOON SESSION.

3 o'clock P. M.

The Senate met, and was called to order by the President.

Roll called: a quorum present.

The President announced the appointment of Senators Henry, Spencer, Carpenter, Sherwood, and Curtiss as a committee on executive business.

The President also announced the following standing committees of the senate:

*Appropriations and Finance*—Messrs. G. A. Smith, Belknap, Austin, Shoemaker, Sherwood.

*Judiciary*—Messrs. Hubbell, Carveth, S. W. Smith, Hawley, Pulver.

*Federal Relations*—Messrs. Carveth, Spencer, Cline.

*State Affairs*—Messrs. Phelps, Brown, Sherwood.

*University*—Messrs. Shoemaker, Monroe, S. W. Smith.

*Agricultural College*—Messrs. Monroe, Sherwood, Carveth.

*State Normal School*—Messrs. S. W. Smith, Austin, Hueston.

*State Public School*—Messrs. Henry, Woodruff, Hertzler.

*Education and Public Schools*—Messrs. Carveth, Monroe, Davis.

*State Reform School*—Messrs. Spencer, Moon, Curtiss.

*State House of Correction*—Messrs. G. A. Smith, Brown, Davis.

*State Prison*—Messrs. Brown, Henry, Pennell.

*Asylums for the Insane*—Messrs. Spencer, Edwards, Hueston.

*Institution for the Deaf and Dumb*—Messrs. Hubbell, Woodruff, Davenport.

*Religious and Benevolent Societies*—Messrs. Brown, Phelps, Manwaring.

*Claims and Public Accounts*—Messrs. Phelps, G. A. Smith, Greiner.

*Banks and Incorporations*—Messrs. Monroe, Hubbell, Shoemaker.

*Railroads*—Messrs. Austin, Stephenson, Hueston.

*Cities and Villages*—Messrs. Francis, G. A. Smith, Davis.

*Mines, Minerals, and Mining Interests*—Messrs. Stephenson, Kempf, Manwaring.

*Canals and River and Harbor Improvements*—Messrs. Henry, Curtis, Davenport.

*Printing*—Messrs. Curtis, Belknap, Pulver.

*Constitutional Amendments*—Messrs. S. W. Smith, Francis, Hawley.

*State Library*—Messrs. Hawley, Stephenson, Carpenter.

*Military Affairs*—Messrs. Woodruff, Hubbell, Shoemaker.

*Insurance*—Messrs. Edwards, Austin, Curtis.

*State Capitol and Public Buildings*—Messrs. Hertzler, Stephenson, Woodruff.

*Public Health*—Messrs. Hueston, Carveth, Davis.

*Public Lands*—Messrs. Manwaring, Spencer, Phelps.

*Immigration*—Messrs. Davis, Hubbell, Henry.

*Geological Survey of the State*—Messrs. Pennell, Curtis, Stephenson.

*Agricultural Interests*—Messrs. Carpenter, Greiner, Heisterman.

*Mechanical Interests*—Messrs. Heisterman, Moon, Pennell.

*Saline Interests*—Messrs. Davenport, Phelps, Cline.

*Lumber Interests*—Messrs. Moon, Edwards, Davenport.

*Fisheries*—Messrs. Kempf, Francis, Heisterman.

*Counties and Townships*—Messrs. Francis, Hertzler, G. A. Smith.

*Roads and Bridges*—Messrs. Greiner, S. W. Smith, Kempf.

*Expiring Laws*—Messrs. Oline, Henry, Manwaring.  
*Rules and Joint Rules*—Messrs. Pulver, Pennell, Spencer.  
*Engrossment and Enrollment*—Messrs. Belknap, Edwards, Pulver.  
*Supplies and Miscellaneous Expenses*—Messrs. Woodruff, Carpenter, Heisterman.

*Liquor Traffic*—Messrs. Edwards, Brown, Hawley.  
*Horticulture*—Messrs. Sherwood, Greiner, Carpenter.  
*School for the Blind*—Messrs. Belknap, Moon, Cline.  
*Industrial Home for Girls*—Messrs. Austin, Carpenter, Heisterman.  
*Northern Asylum for the Insane*—Messrs. Kempf, Francis, Hertzler.  
*Labor*—Messrs. Moon, Belknap, Hawley.

A. BUTTARS, *President*.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
 Lansing, Jan. 14, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following joint resolution:

House Joint Resolution No. 2 (File No. 1,) entitled  
 Joint resolution, requesting our Senators and Representatives in Congress  
 to vote for the passage of the bill to prevent the importation of laborers;  
 Which has passed the House by a majority vote of all the members, and in  
 which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The joint resolution was read a first and second time by its title, and referred to the committee on labor.

#### NOTICES.

Mr. Curtiss gave notice that at some future day he would ask leave to introduce

A bill to amend section 1 of chapter 131 of Howell's Statutes of Michigan, being an act entitled "An act in relation to life insurance companies transacting business within this State."

Mr. Manwaring gave notice that on some future day he would ask leave to introduce

A bill to provide for the appeal and final disposition of certain civil cases brought into justices' courts in this State;

Also,

A bill to reincorporate the village of Armada, Macomb county.

Mr. Francis gave notice that at some future day he would ask leave to introduce

A bill to amend sections 1, 2, 4 and 5 of an act entitled "An act for the collection of damages sustained by reason of defective public highways, streets, bridges, cross-walks, and culverts," being Act No 244 of the session laws of 1879; the same being sections 1442, 1443, 1445, and 1446 of Howell's Annotated Statutes.

Mr. Henry gave notice that at some future day he would ask leave to introduce

A bill to reincorporate the village of Au Sable;

Also.

A bill to better protect and preserve deer within this State.

#### MOTIONS AND RESOLUTIONS.

Mr. Hubbell offered the following concurrent resolution :

*Resolved by the Senate of the State of Michigan* (the House of Representatives concurring therein), That a joint select committee of eight, to be composed of three members of the Senate and five members of the House, to be appointed by the presiding officer of each body respectively, be raised, to whom all bills relating to the assessment and collection of taxes shall be referred; that said committee shall have power to appoint a clerk and to report at any time, by bill or otherwise, which report or reports shall be privileged and have precedence over all general or special orders of business.

On motion of Mr. Hubbell,

The further consideration of the concurrent resolution was postponed for one day.

Mr. Hawley offered the following resolution :

*Resolved*, That the President be requested to appoint a special committee of three Senators to enquire into and report as to the propriety of having a written Journal of the Senate kept by the Secretary;

Which was adopted.

Mr. Austin offered the following resolution :

*Resolved*, That the committees on railroads and liquor traffic be authorized to appoint a clerk jointly;

Which was adopted.

#### INTRODUCTION OF BILLS.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 2, entitled

A joint resolution to amend the constitution so as to abolish the board of auditors of Wayne county.

The joint resolution was read a first and second time by its title and referred to the committee on judiciary.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 10, entitled

A bill to provide for the representation of different political parties on boards of election.

The bill was read a first and second time by its title and referred to the committee on judiciary.

On motion of Mr. Belknap,

The Senate went into executive session, the time being 3 : 28 P. M.

The executive session closed, the time being 3 : 58 P. M.

Roll called : quorum present.

The President announced Senators Hawley, Monroe, and Brown as a special committee to enquire into and report as to the propriety of having a written Journal of the Senate kept by the Secretary;



Mr. Hawley requested to be excused from serving as chairman of said committee, and Mr. Sherwood was appointed in his stead.

On motion of Mr. Manwaring,  
The Senate adjourned.

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*Lansing, Thursday, January 15, 1885.*

The Senate met and was called to order by the President at 10 o'clock A. M.

Prayer by the Rev. Dr. Jameson.

Roll called: a quorum present.

Absent without leave: Senator Shoemaker.

Mr. Manwaring asked and obtained leave of absence for Mr. Shoemaker indefinitely, on account of illness.

The President announced that the flag of the Senate would be placed at half-mast, in respect to the memory of Hon. Schuyler Colfax, late deceased.

#### PRESENTATION OF PETITIONS.

No. 5. By Mr. Pulver: Resolutions of the board of supervisors of Shiawassee county, asking for amendments to the tax law, and also changing the time for collecting the taxes.

The petition was referred to the committee on the judiciary.

No. 6. By the same: Petition of Josiah Upton and 151 others, of Clinton county, against horse-racing at agricultural fairs.

The petition was referred to the committee on agricultural interests.

No. 7. By Mr. Davis: Petition of E. H. Taylor and 128 others, asking for one hundred dollars State bounty for soldiers of the late war.

The petition was referred to the committee on military affairs.

No. 8. By Mr. Carveth: Petition of H. D. Purdy and 74 others, for the same object.

The petition was referred to the committee on military affairs.

No. 9. By Mr. Henry: Resolutions of the board of supervisors of Ogemaw county, relative to amendment of the tax law.

The resolutions were referred to the committee on judiciary.

No. 10. By the same: Resolutions of the board of supervisors of Alpena county, for the same object.

The resolutions were referred to the committee on the judiciary.

No. 11. By the same. Petition of A. D. Horton and others for a State ditch in Au Sable township, Iosco county.

The petition was referred to the committee on State affairs.

#### NOTICES.

Mr. Pulver gave notice that on some future day he would ask leave to introduce

A bill relative to the improvement of the Lookingglass river.

Mr. G. A. Smith gave notice that at some future day he would ask leave to introduce

A bill to amend sections 70 and 71 of chapter 19 of Howell's Annotated Statutes, being compiler's sections 744 and 745 relative to township boards.

Mr. Davenport gave notice that at some future day he would ask leave to introduce

A bill to amend section 8 of chapter 6 of an act entitled "An act granting and defining the powers and duties of incorporated villages," approved April 1, 1875, being section 2840 of Howell's Annotated Statutes;

Also,

A bill to amend section 16 of chapter 9, compiled laws of 1871, being section 452 of Howell's Annotated Statutes;

Also,

A bill to amend section 8, chapter 10, of an act entitled "An act for the incorporation of cities," approved April 29, 1873, being section 2544 of Howell's Annotated Statutes;

Also,

A bill to establish a board of pardons;

Also,

A bill to amend section 8 and to repeal sections 10 and 11 of chapter 50 of the compiled laws of 1871, being sections 1762, 1764, and 1765 of Howell's Annotated Statutes;

Also,

A bill to amend section 75 of chapter 10 of the compiled laws of 1871, being section 385 of Howell's Annotated Statutes.

Mr. Monroe gave notice that on some future day he would ask leave to introduce

A bill to provide for the semi-annual distribution of the primary school interest fund to the respective counties of the State.

#### MOTIONS AND RESOLUTIONS.

Mr. Stephenson offered the following:

*Resolved*, That the memorial of John Greusel, jr., contesting the right of the seat now occupied by Senator James Hueston be referred to the committee on the judiciary.

Mr. Sherwood moved to amend the resolution so as to refer said memorial to a special committee of five.

Which motion prevailed by yeas and nays, as follows:

#### YEAS.

Mr. Carveth,	Mr. Greiner,	Mr. Manwaring,	Mr. Sherwood,
Cline,	Hawley,	Pennell,	Smith, G. A.,
Curtiss,	Heisterman,	Phelps,	Smith, S. W.,
Davenport,	Hertzler,	Pulver,	Spencer,
Davis,	Kempf,		18

#### NAYS.

Mr. Austin,	Mr. Carpenter,	Mr. Henry,	Mr. Moon,
Belknap,	Edwards,	Hubbell,	Stephenson,
Brown,	Francis,	Monroe,	Woodruff,
			12

The resolution as amended was then adopted.

Mr. Hawley offered the following resolution:

*Resolved*, That the State Treasurer be requested to inform the Senate the names of the banks in which the balance of \$1,142,330.69, which he had on hand at the close of the fiscal year, was deposited, and the rate of interest the State received on such deposits;

Which was adopted.

Mr. G. A. Smith offered the following resolution:

*Resolved*, That the judiciary committee separately, and the committees on State affairs and appropriations and finance jointly, be authorized to appoint clerks;

Which was adopted.

#### INTRODUCTION OF BILLS.

Mr. Stephenson, previous notice having been given and leave being granted introduced

Senate bill No. 11, entitled

A bill to incorporate the village of Manistique.

The bill was read a first and second time by its title, and referred to the committee on cities and villages.

Mr. Manwaring, previous notice having been given and leave being granted, introduced

Senate bill No. 12, entitled

A bill to provide for the appeal and final disposition of certain civil cases brought into justices' courts in this State.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Manwaring, previous notice having been given and leave being granted, introduced

Senate bill No. 13, entitled

A bill to reincorporate the village of Armada, Macomb county.

The bill was read a first and second time by its title, and referred to the committee on cities and villages.

Mr. Pennell, previous notice having been given and leave being granted, introduced

Senate bill No. 14, entitled

A bill to amend section 1 of act No. 105, of the session laws of 1869, entitled, "An act for the encouragement of agriculture, manufactures, and the mechanic arts," being section 2298 of Howell's Annotated Statutes.

The bill was read a first and second time by its title, and referred to the committee on agricultural interests.

Mr. Henry, previous notice not having been given and leave being granted, introduced

Senate joint resolution No. 3, entitled

Joint resolution for amendment of section 11, article 5, constitution of the State, relative to reprieves, commutations, and pardons.

The joint resolution was read a first and second time by its title and referred to the committee on constitutional amendments.

Mr. Edwards, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 4, entitled

Joint resolution proposing an amendment to article 4 of the constitution of this State relative to the prohibition of the manufacture and sale of spirituous,

malt, and vinous liquors, and the rights of property therein, except for mechanical, medicinal, chemical, or scientific purposes, by adding a new section thereto, to stand as section 49.

The joint resolution was read a first and second time by its title, and referred to the committee on liquor traffic and constitutional amendments, jointly.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 15, entitled

A bill to amend sections 1 and 3 of chapter 5 of an act entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement, and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within this State," being act No. 243, public acts of 1881..

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 16, entitled

A bill to better protect and preserve deer within this State.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Curtiss, previous notice having been given and leave being granted, introduced

Senate bill No. 17, entitled

A bill to amend section 1 of chapter 131 of Howell's Statutes of Michigan, being an act entitled "An act in relation to life insurance companies transacting business within this State."

The bill was read a first and second time by its title, and referred to the committee on insurance.

Mr. Kempf, previous notice having been given and leave being granted, introduced

Senate bill No. 18, entitled

A bill to authorize the holding of township elections and other township meetings within the limits of cities and villages.

The bill was read a first and second time by its title, and referred to the committees on cities and villages and judiciary jointly.

Mr. Davenport, previous notice having been given and leave being granted, introduced

Senate bill No. 19, entitled

A bill to authorize the county of Saginaw to borrow the sum of one hundred thousand dollars, and to issue its bonds therefor for the purpose of paying certain bonds heretofore issued by said county, under authority of act No. 4 of the session laws of 1865.

The bill was read a first and second time by its title, and referred to the committee on counties and townships.

Mr. Hueston, previous notice having been given and leave being granted, introduced

Senate bill No. 20, entitled

A bill to amend section 29 of article 2 of act No. 198 of the session laws of 1873, relative to the incorporation and consolidation of railroads.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Hueston, previous notice having been given and leave being granted, introduced

Senate bill No. 21, entitled

A bill to amend sections 1 and 2 of chapter 229 of the compiled laws of 1871 relative to statute limitations in certain cases.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hueston, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 5, entitled

A joint resolution declaring the necessity of establishing Soldiers' Homes for disabled soldiers and marines who have become disabled since discharged from service, to appoint a joint committee to investigate and report the feasibility of the Dearborn arsenal property for such Home, and what action by Congress should be requested;

The joint resolution was read a first and second time by its title, and referred to the committee on military affairs.

Mr. Francis, previous notice having been given, and leave being granted, introduced

Senate bill No. 22, entitled,

A bill to amend sections 1, 2, 4, and 5 of an act entitled "An act for the collection of damages sustained by reason of defective public highways, streets, bridges, cross-walks, and culverts," being act No. 244 of the session laws of 1872, the same being sections 1442, 1443, 1445, and 1446 of Howell's Annotated Statutes.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Hawley, previous notice having been given, and leave being granted, introduced

Senate bill No. 23, entitled,

A bill to detach certain portions of territory from the townships of Springwells, Greenfield, and Hamtramck, and to annex the same to the city of Detroit.

The bill was read a first and second time by its title, and referred to the committee on cities and villages.

#### UNFINISHED BUSINESS.

Being the consideration of the following concurrent resolution:

*Resolved by the Senate of the State of Michigan* (the House of Representatives concurring therein), That a joint select committee of eight, to be composed of three members of the Senate and five members of the House, to be appointed by the presiding officer of each body respectively, be raised, to whom all bills relating to the assessment and collection of taxes shall be referred; that said committee shall have power to appoint a clerk and to report at any time, by bill or otherwise which report or reports shall be privileged and have precedence over all general or special orders of business.

Mr. Hubbell moved to amend the concurrent resolution by striking out the words "which report or reports shall be privileged and have precedence over all general or special orders of business;"

Which motion prevailed.

Mr. Manwaring moved to lay the concurrent resolution on the table.

Which motion did not prevail.

Mr. Manwaring called for the yeas and nays.

Mr. Curtis moved to further amend by striking out the words, "to appoint a clerk and ;"

Which motion did not prevail.

The resolution was then adopted by yeas and nays as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Pulver,
Belknap,	Francis,	Kempf,	Smith, G. A.,
Brown,	Hawley,	Monroe,	Smith, S. W.,
Carpenter,	Henry,	Moon,	Spencer,
Carveth,	Hertzler,	Pennell,	Stephenson,
Davis,	Hubbell,	Phelps,	Woodruff, 24

#### NAYS.

Mr. Cline,	Mr. Davenport,	Mr. Heisterman,	Mr. Sherwood,
Curtiss,	Greiner,	Manwaring,	7

#### EXECUTIVE SESSION.

On motion of Mr. Belknap,

The Senate went into executive session, the time being 11:20 A. M.

The executive session closed, the time being 12:55 P. M.

Roll called: quorum present.

On motion of Mr. Hertzler,

The Senate took a recess until 3 o'clock, P. M.

#### AFTERNOON SESSION.

3 o'clock, P. M.

The Senate met, and was called to order by the President.

Roll called: a quorum present.

The President announced the following communication from the Lansing Ministerial Association:

*To the Honorable the Senate of the State of Michigan:*

GENTLEMEN—The pastors of the Evangelical churches of the city of Lansing, members of the Lansing Ministerial Association, hereby acknowledge the courtesy of the invitation of the Senate to open its daily sessions with appropriate religious services, and would inform your honorable body that with the coöperation of such of their members as consent to such demand upon the time often valuable at that hour, and with the aid of other pastors of the city, a plan has been perfected by which the duties asked shall be mutually distributed in succession. We desire only to discharge said duties as representatives of the various religious bodies of the State, and pray for wisdom upon your deliberation, health to your persons, and the absence of asperities in your discussions.

Signed on behalf of the Lansing Ministerial Association.

W. H. THOMPSON,  
*Committee on Reply.*

Lansing, Jan. 15, 1885.

#### REPORTS OF STANDING COMMITTEES.

By the committee on insurance:

The committee on insurance to whom was referred

Senate bill No. 17, entitled,

A bill to amend section 1 of chapter 131 of Howell's Statutes of Michigan, being an act entitled "An act in relation to life insurance companies transacting business within this State," and to add one new section thereto to stand as section No. 30.

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject,

EDWARD E. EDWARDS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

#### REPORTS OF SELECT COMMITTEES.

The select committee to whom was referred the following concurrent resolution :

WHEREAS, The Senate of the United States did pass a resolution of the date of April 22, A. D. 1884, instructing the Honorable Secretary of War to cause an inquiry to be made as to the cost of construction of the Lake Superior Ship Canal and the Portage Lake Improvement Company Canal; and also to inquire upon what terms said canals might be purchased by the United States, and make free water ways to the commerce of the great lakes;

AND WHEREAS, The Honorable Secretary of War did designate Col. O. M. Poe, of the United States Army, to make such examination and report, in conformity to said resolution;

AND WHEREAS, The Honorable Secretary of War did report on or about January 5, A. D., 1885, that Col. Poe had made such examination, and on whose report did recommend that Congress take steps to purchase the same, and make them free water ways to the commerce of the lakes;

AND WHEREAS, the tolls collected by these canals are a serious burden to a numerous people and very large industry embraced inside the limits of the territory supplied by these canals;

AND WHEREAS, these water ways should be made free channels to the great traffic that is now springing up with Minnesota, Iowa, and the country along the Northern Pacific R. R., that passes through Lake Superior, finding an outlet to the east and sea-board;

AND WHEREAS, the dangers of the navigation of Lake Superior may be greatly lessened by the improvement of this water way, and make a safe shelter at a point where the dangers of this lake are the greatest, and most serious disasters have occurred; therefore

*Be it resolved by the Senate of the State of Michigan* (the House concurring therein), that our Senators and Representatives in Congress be, and they are hereby requested to use their best endeavors to secure such legislation by Congress as will result in the United States acquiring the title to and the ownership of the ship canals connecting the waters of Keweenaw bay, by way of Portage lake, with the waters of Lake Superior, in the upper peninsula of Michigan, in accordance with the report of the honorable Secretary of War presented to the United States Senate about Jan. 5, A. D. 1885, in reply to its resolution of April 22, A. D. 1884, and making them free for the navigation and commerce of the great lakes;

Respectfully report that they have the same under consideration and have

directed me to report the same back to the Senate without amendment, and recommend that it be adopted, and ask to be discharged from the further consideration of the subject.

R. KEMPF, *Chairman*.

The question being on the adoption of the concurrent resolution,

Mr. Shoemaker moved to refer the same to the committee of the whole.

Mr. Curtiss called for the yeas and nays.

The motion then did not prevail by yeas and nays as follows:

#### YEAS.

Mr. Cline,	Mr. Greiner,	Mr. Hertzler,	Mr. Pulver,
Curtiss,	Hawley,	Manwaring,	Sherwood,
Davenport,	Heisterman,	Pennell,	Shoemaker,
Davis,			

13

#### NAYS.

Mr. Austin,	Mr. Edwards,	Mr. Kempf,	Mr. Smith, S. W.,
Belknap,	Francis,	Monroe,	Spencer,
Brown,	Henry,	Moon,	Stephenson,
Carpenter,	Hubbell,	Phelps,	Woodruff,
Carveth,	Hueston,	Smith, G. A.,	

19

The question being on the adoption of the concurrent resolution,

Mr. Curtiss called for the yeas and nays.

The same was then adopted by yeas and nays as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Kempf,	Mr. Smith, S. W.,
Belknap,	Francis,	Monroe,	Spencer,
Brown,	Henry,	Moon,	Stephenson,
Carpenter,	Hubbell,	Phelps,	Woodruff,
Carveth,	Hueston,	Smith, G. A.,	

19

#### NAYS.

Mr. Cline,	Mr. Greiner,	Mr. Hertzler,	Mr. Pulver,
Curtis,	Hawley,	Manwaring,	Sherwood,
Davenport,	Heisterman,	Pennell,	Shoemaker,
Davis,			

13

The select committee on the assignment of rooms for the use of the committees of the Senate, would respectfully report that they have performed that duty, and made the following assignment of rooms, to-wit:

#### *First Floor.*

Room A—Committee on Expiring Laws.

Room A—Committee on Judiciary.

Room A—Committee on Constitutional Amendments.

Room B—Committee on Engrossment and Enrollment.

Room C—Committee on Saline Interests.

Room C—Committee on Lumber Interests.

Room C—Committee on Mechanical Interests.

Room C—Committee on Mines, Minerals, etc.

Room C—Committee on Fisheries.

Room C—Committee on Geological Survey.

Room C—Committee on Horticulture.



- Room C—Agricultural Interests.
- Room D—Secretary.
- Room E—Committee on State Affairs.
- Room F—Committee on Federal Relations.
- Room F—Committee on Counties and Townships.
- Room F—Committee on Public Lands.
- Room E—Committee on Claims and Public Accounts.
- Room E—Committee on Appropriations and Finance.
- Room F—Committee on Banks and Incorporations.
- Room F—Printing.

*Second Floor.*

- Room G—Committee on Agricultural College.
- Room G—Committee on Education and Public Schools.
- Room G—Committee on State Normal School.
- Room G—Committee on State Public School.
- Room G—Committee on University.
- Room G—Supplies and Miscellaneous Expenses.
- Room H I—Committee on Cities and Villages.
- Room H I—Committee on Railroads.
- Room H I—Committee on Northern Asylum for Insane.
- Room H I—Committee on Liquor Traffic.
- Room H I—Committee on Roads and Bridges.
- Room J—Sergeant-at-Arms, and Assistant Secretary.
- Room K—Committee on Asylums for the Insane.
- Room K—Committee on Michigan Institution for Deaf and Dumb.
- Room K—Committee on Public Health.
- Room K—Committee on Religious and Benevolent Societies.
- Room K—Committee on School for the Blind.
- Room K—Committee on Labor.
- Room K—Committee on Canals and River and Harbor Improvements.
- Room L—Committee on Reform School for Girls.
- Room L—Committee on Rules and Joint Rules.
- Room L—Committee on State Prison.
- Room L—Committee on State Reform School.
- Room L—Committee on State House of Correction.
- Room M—Committee on Immigration.
- Room M—Committee on Insurance.
- Room M—Committee on Military Affairs.
- Room M—Committee on State Capitol and Public Buildings.
- Room M—Committee on State Library.
- All of which is respectfully submitted,

C. HERTZLER,  
S. W. SMITH,  
EDWARD E. EDWARDS.

Report accepted and committee discharged.  
On motion of Mr. Hertzler, the report was adopted.  
The President announced the following:

## MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,  
*Lansing, January 15, 1885.* }

*To the Senate :*

I am prepared to submit to the two houses in joint convention a nomination for their consideration whenever they shall be pleased to meet for that purpose.

RUSSELL A. ALGER,  
*Governor.*

The message was laid on the table.

## MESSAGE FROM THE HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, Jan. 15, 1885.* }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following concurrent resolution :

*Resolved* (the Senate concurring), That the two Houses will meet in joint convention this afternoon at 3.45 o'clock to receive such nominations as the Governor may be pleased to make ;

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

On motion of Mr. Francis,

The Senate concurred in the adoption of the concurrent resolution.

The Sergeant-at-Arms announced a committee from the House, who informed the Senate that the House was in readiness to receive the Senate in joint convention for the purpose of acting upon any nominations the Governor might make.

On motion of Mr. Manwaring,

The Senate proceeded to the hall of the House of Representatives to meet that body in joint convention.

[For proceedings in joint convention see House Journal.]

The Senate returned and was called to order by the President.

Roll called : a quorum present ;

The President announced that the Senate had met the House in joint convention, and had advised and consented to the nomination of Charles E. Belknap, of Grand Rapids, as Trustee of the Michigan Institute for Educating the Deaf and Dumb, for the term of six years from the second Tuesday of February, A. D. 1885.

On motion of Mr. Belknap,

The Senate went into executive session, the time being 4 : 12 P. M.

The executive session closed, the time being 4 : 37 o'clock P. M.

Roll called : quorum present.

On motion of Mr. Davenport,

The Senate adjourned.

*Lansing, Friday, January 16, 1885.*

The Senate met and was called to order by the President at 10 o'clock A.M.  
Prayer by Rev. W. H. Thompson.  
Roll called: quorum present.

PRESENTATIONS OF PETITIONS.

No. 12. By Mr. Shoemaker: Petition of Horace Dean and 60 others of Napoleon, Jackson county, asking for the repeal of the tax on dogs;  
Referred to the committee on State affairs.

No. 13. By Mr. Francis: Resolutions of the board of supervisors of Emmet county relative to the disposition of moneys derived from the liquor tax;  
Referred to the committee on the liquor traffic.

No. 14. By the same: Resolutions of the board of supervisors of Leelanaw county asking for certain amendments to the tax laws;  
Referred to the committee on the judiciary.

REPORTS OF STANDING COMMITTEES.

By the committees on railroads and liquor traffic:

The committees on railroads and liquor traffic, jointly, respectfully report that in accordance with the authority granted them by vote of the Senate they have appointed Edwin S. Hoskins, of Gratiot county, clerk of said committees.

CHAS. AUSTIN,

*Chairman Committee on Railroads.*

EDWARD E. EDWARDS,

*Chairman Committee on Liquor Traffic.*

Report accepted.

By the committee on judiciary:

The committee on judiciary, in accordance with a resolution of the Senate, have this day appointed Charles M. Howell, of Ontonagon, clerk of the judiciary committee.

Very respectfully,

JAY A. HUBBELL, *Chairman.*

Report accepted.

By the committees on State affairs and appropriations and finance:

The committees on State affairs and appropriations and finance, jointly, respectfully report that they have appointed Geo. M. Dewey, of Owosso, clerk of said committees.

FITCH PHELPS,

*Chairman Committee on State Affairs.*

G. A. SMITH,

*Chairman Committee on Appropriations and Finance.*

Report accepted.

By the committee on agricultural interests:

The committee on agricultural interests to whom was referred

Senate bill No. 14, entitled

A bill to amend section 1 of Article No. 105 of the session laws of 1869,

entitled "an act for the encouragement of agriculture, manufactures, and the mechanic arts," being section 2293 of Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

MANSON CARPENTER, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on labor:

The committee on labor, to whom was referred

House joint resolution No. 2, entitled

Joint resolution requiring our Senators and Representatives to vote for the passage of the bill to prevent the importation of laborers,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN W. MOON, *Chairman*.

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on counties and townships:

The committee on counties and townships, to whom was referred

Senate bill No. 19, entitled

A bill to authorize the county of Saginaw to borrow the sum of \$100,000, and to issue its bonds therefore, for the purpose of paying certain bonds issued by said county under authority of act No. 4, of the session laws of 1865,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS,  
*Chairman*.

Report accepted and committee discharged.

On motion of Mr. Woodruff,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Edwards,	Kempf,	Shoemaker,
Brown,	Francis,	Manwaring,	Smith, G. A.,
Carpenter,	Greiner,	Monroe,	Smith, S. W.,
Carveth,	Hawley,	Moon,	Spencer,
Cline,	Heisterman,	Pennell,	Stephenson,
Curtiss,	Hertzel,	Pulver,	Woodruff,
Davenport,	Hubbell,		

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#### NAYS.

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Title agreed to.

On motion of Mr. Davenport,  
By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

#### REPORTS OF SPECIAL COMMITTEES.

The select committee, to whom was referred the messages of the returning Governor and the Governor-elect, for the separation and reference of the various recommendations contained therein, to the appropriate standing committees of the Senate, would respectfully report and recommend the following references:

So much as refers to the State University, to the committee on the University;

So much as refers to the State Normal School, to the committee on State Normal School;

So much as refers to the Agricultural College, to the committee on the Agricultural College;

So much as refers to the Institution for the Deaf and Dumb, to the committee on the Institution for the Deaf and Dumb;

So much as refers to the Michigan School for the Blind, to the committee on the School for the Blind;

So much as refers to the State Public School, to the committee on the State Public School;

So much as refers to the Asylums for the Insane, the Michigan Asylum for the Insane, and the Eastern Asylum for the Insane, to the committee on the Asylums for the Insane;

So much as refers to the Northern Asylum for the Insane, to the committee on the Northern Asylum for the Insane;

So much as refers to the State Reform School, to the committee on the State Reform School;

So much as refers to the Industrial Home for Girls, to the committee on the Industrial Home for Girls;

So much as refers to the State Prison, to the committee on the State Prison;

So much as refers to the State House of Correction, the conveying of prisoners under sentence, and the Michigan Asylum for Insane Criminals, to the committee on State House of Correction;

So much as refers to the public schools to the committee on Education and Public Schools;

So much as refers to the State Library, to the committee on the State Library;

So much as refers to the contract labor system and the Bureau of Labor, to the committee on Labor;

So much as refers to the office of State Swamp Land Road Commissioner, to the committee on Public Lands;

So much as refers to the office of Commissioner of Immigration, to the committee on Immigration;

So much as refers to the office of Commissioner of Mineral Statistics, to the committee on Mines, Minerals, and Mining Interests;

So much as refers to Insurance, to the committee on Insurance;

So much as refers to the Board of Corrections and Charities and the World's Exposition at New Orleans, to the committee on Appropriations and Finance;

So much as refers to the election of legislators, to the committee on the Judiciary.

So much as refers to a Board of Pardons, to the committee on Constitutional Amendments;

So much as refers to the traffic in intoxicating drinks, to the committee on the Liquor Traffic;

So much as refers to soldiers' bounties, the State Militia and a soldiers' home, to the committee on Military Affairs;

So much as refers to claims against the United States, to the committee on Federal Relations;

So much as refers to contagious diseases among cattle, to the committee on Agricultural Interests;

So much as refers to danger from cholera, to the committee on Public Health;

So much as refers to fish culture, to the committee on Fisheries;

So much as refers to central standard time, to the committee on State Affairs;

So much as refers to the semi-annual distribution of the primary school interest fund, to the committee on Education and Public Schools and Judiciary jointly;

So much as refers to the establishment of a State weather service, to the committees on the Agricultural College and Agricultural interests jointly;

So much as refers to the salaries of State officers and judges of the Supreme Court, to the committees on Appropriations and Finance, and Constitutional Amendments jointly;

So much as refers to an institution for the care of idiots and imbeciles, to a select committee to be appointed by the President;

So much as refers to the election laws, to a select committee to be appointed by the President;

So much as relates to an amendment of the tax laws, to a select joint committee of eight, three on the part of the Senate and five on the part of the House.

All of which is respectfully submitted, and your committee ask to be discharged from the further consideration of the subject.

R. KEMPE,  
JAY A. HUBBELL,  
JOHN L. CURTISS.

Report accepted and committee discharged.

On motion of Mr. Kempf,

The report was adopted.

Your special committee, to whom was referred the matter of inquiring into the propriety of having a written journal of the Senate kept by the Secretary,

Respectfully report that they have had the question under consideration, and have directed me to report that, after a careful examination and inquiry into the facts of the case, we find, in the year 1853, Governor Robert McClelland in his message recommends that the Senate dispense with such written journal, and in said year (1853) such journal was dispensed with, and for 32 years it has not been kept; and in all of which time we can find no instance where it has affected the interests of any individual, or, had it been kept, could have been of advantage to any person;

Therefore, we do recommend that such journal may still be dispensed with, and ask to be discharged from further consideration of the subject.

HARVEY C. SHERWOOD, *Chairman.*

Report accepted and committee discharged.

Mr. Manwaring moved that the report of the committee be adopted.

Mr. Hawley called for the yeas and nays.

The report was then adopted by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davis,	Mr. Kempf,	Mr. Sherwood,
Belknap,	Edwards,	Manwaring,	Shoemaker,
Brown,	Francis,	Monroe,	Smith, G. A.,
Carpenter,	Heisterman,	Moon,	Smith, S. W.
Carveth,	Hertzler,	Pennell,	Spencer,
Curtiss,	Hubbell,	Phelps,	Stephenson,
Davenport,	Hueston,	Pulver,	Woodruff, 28

NAYS.

Mr. Oline, Mr. Greiner, Mr. Hawley,

MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 15, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following concurrent resolution:

*Resolved* (the Senate concurring), That the postmistress be requested to instruct her messenger to perform for the representatives of the papers in attendance on the Legislature such service as they may need in connection with the forwarding and distribution of their mail, which will not interfere with the management of her office;

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

On motion of Mr. Manwaring,

The Senate concurred in the passage of the concurrent resolution.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 16, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following concurrent resolution:

*Resolved by the Senate of the State of Michigan* (the House of Representatives concurring therein), That a joint select committee of eight, to be composed of three members of the Senate and five members of the House, to be appointed by the presiding officer of each body respectively, be raised, to whom all bills relating to the assessment and collection of taxes shall be referred; that said committee shall have power to appoint a clerk and to report at any time, by bill or otherwise;

In the passage of which the House has concurred.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The message was laid on the table.

## NOTICES.

Mr. Edwards gave notice that on some future day he would ask leave to introduce

A bill to amend sections 64 and 65 of act No. 9 of the public acts of 1882, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon," so as to provide for the redemption of lands sold for taxes undersaid act.

Mr. Carveth gave notice that on some future day he would ask leave to introduce

A bill for the protection of labor debts against exemptions, etc;

Also,

A bill amending section 17 of chapter 244, of an act entitled, "Circuit Courts," of Howell's Annotated Statutes of 1882, being compiler's section 6474, relative to the sum to be paid by a party demanding a jury;

Also,

A bill authorizing and providing for the burial of the body of any honorably discharged ex-union soldier, sailor or marine of this State, who shall hereafter die without leaving means sufficient to defray funeral expenses.

Mr. Stephenson gave notice that on some future day he would ask leave to introduce

A bill for the relief of purchasers and settlers on swamp lands.

Mr. Shoemaker gave notice that on some future day he would ask leave to introduce

A bill to amend sections 4, 5, 6, 16, 40, 41, 44, 48, 49, 57, 59, 62, and 64 of an act entitled "An act to revise and consolidate the laws relative to the State prison and the government and discipline thereof, and to repeal all acts inconsistent therewith," approved May 3, 1875, as amended by act No. 200 of the session laws of 1877, approved May 23, 1877, or by act No. 284 of the session laws of 1881, approved June 11, 1881, being sections 9671, 9672, 9673, 9682, 9703, 9704, 9707, 9710, 9711, 9719, 9721, 9724, and 9726 of Howell's Annotated Statutes.

Mr. Cline gave notice that on some future day he would ask leave to introduce

A bill to amend act 161 of the session laws of 1867, being section 7091 of Howell's compiled laws, relative to the protection of females against exemptions by inserting the words "or any citizen of this State" after the word "woman" in said section.

Mr. S. W. Smith gave notice that at some future day he would ask leave to introduce

A bill to amend section 7606 of Howell's Annotated Statutes, being compiler's section 6023 of the Compiled Laws of the State of Michigan, for the year 1871, relative to the trial of issues of fact.

Mr. Austin gave notice that at some future day he would ask leave to introduce

Joint resolution to provide for the exhibition of the horticultural and pomological productions of this State, at the exhibition of the American Pomological Society, to be held in Grand Rapids, Michigan, in September, 1885.

Mr. Hawley gave notice that on some future day he would ask leave to introduce

A bill to prevent the spread of glanders and farcy;

Also,

A bill to prevent the spread of contagious diseases among cattle.



## MOTIONS AND RESOLUTIONS.

Mr. Francis offered the following resolution :

*Resolved*, That the committees on cities and villages, and on counties and townships be, and they are hereby authorized to jointly employ a clerk ;

Which was adopted.

Mr. Austin offered the following resolution :

*Resolved*, That the clerk appointed by the committees on railroads and liquor traffic be also required to serve the committee on education and public schools ;

Which was adopted.

Mr. Manwaring offered the following resolution :

*Resolved*, That the Secretary of the Senate be instructed to order 250 copies of the daily journal in addition to the 500 already ordered ;

Which was not adopted.

Mr. Sherwood moved to reconsider the vote by which the Senate yesterday adopted the following resolution :

*Resolved*, That the memorial of John Greusel, jr., contesting the right of the seat now occupied by Senator James Hueston be referred to the committee on the judiciary,

After having amended the same so as to refer the memorial to a special committee of five ;

Which motion prevailed.

The question being upon the adoption of the resolution as amended,

The same was not adopted.

The memorial of John Greusel, jr., contesting the right of the seat now occupied by James Hueston, and

The memorial of James McNamara contesting the right of the seat now occupied by Charles R. Henry were

Referred to the committee on the judiciary.

## INTRODUCTION OF BILLS.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 24, entitled

A bill to amend sections 1, 4, and 6, of act numbered 268 of the session laws of 1879, entitled "An act to provide for the taxation of the business of manufacturing and selling spirituous and intoxicating, malt, brewed, or fermented liquors," approved May 31, 1879, as amended by act number 156 of the session laws of 1881, approved May 19, 1881.

The bill was read a first and second time by its title, and referred to the committee on the liquor traffic.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 25, entitled

A bill to amend sections numbered 3, 5, 6, 9, 10, and 11, of act numbered 259 of the session laws of 1881, entitled "An act to regulate the sale of spirituous, malt, brewed, or fermented, and vinous liquors, to prohibit the sale of such liquors to minors, to intoxicated persons, and to persons in the habit of getting intoxicated, to provide a remedy against persons selling liquors to husbands or children in certain cases, and to repeal all acts or parts of acts inconsistent herewith," approved June 10, 1881.

The bill was read a first and second time by its title, and referred to the committee on the liquor traffic.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 26, entitled

A bill to abolish the office of Commissioner of Immigration.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Pulver, previous notice having been given and leave being granted, introduced

Senate bill No. 27, entitled

A bill to amend section 6856 of Howell's Annotated Statutes relative to jurisdiction of justices of the peace.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. G. A. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 28, entitled

A bill to amend sections 70 and 71 of chapter 19 of Howell's Annotated Statutes, being compiler's sections 744 and 745 relative to township boards.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

On motion of Mr. Shoemaker,

The Senate took a recess until 3 o'clock P. M.

#### AFTERNOON SESSION.

*3 o'clock P. M.*

The Senate met, and was called to order by the President.

Roll called: a quorum present.

#### REPORTS OF STANDING COMMITTEES.

By the committee on cities and villages and the committee on counties and townships jointly;

The committee on cities and villages and the committee on counties and townships who were authorized by a resolution heretofore adopted to jointly employ a clerk, respectfully report that in accordance with said resolution, they have appointed Charles E. Goodrich as such clerk.

WM. H. FRANCIS,

*Chairman of said Committees.*

Report accepted.

By the committee on cities and villages:

The committee on cities and villages to whom was referred

Senate bill No. 5, entitled

A bill to confer power and authority upon the common council of the village of Houghton to purchase and acquire property and to erect all proper and necessary structures in connection therewith, without as well as within the corporate limits of said village, and to hold and maintain the same for the sole purpose of supplying said village and the inhabitants thereof with water,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Edwards,	Kempf,	Shoemaker,
Brown,	Francis,	Manwaring,	Smith, G. A.,
Carpenter,	Greiner,	Monroe,	Smith, S. W.,
Carveth,	Hawley,	Moon,	Spencer,
Cline,	Heisterman,	Pennell,	Stephenson,
Curtiss,	Hertzler,	Phelps,	Woodruff,
Davenport,	Hubbell,	Pulver,	31

#### NAYS.

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Title agreed to.

On motion of Mr Hubbell,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on federal relations:

The committee on federal relations, to whom was referred

Senate joint resolution No. 1, entitled

Joint resolution to hasten the civilization of Indians,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 16, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return the following bill:

Senate bill No. 19, entitled

A bill to authorize the county of Saginaw to borrow the sum of one hundred thousand dollars and to issue its bonds therefor, for the purpose of paying certain bonds issued by said county under authority of act No. 4 of the session laws of 1865;

In the passage of which the House has concurred by a majority vote of all

the members elect, and by a vote of two-thirds of all the members elect has ordered the same to take immediate effect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, January 16, 1885.* }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following concurrent resolution :

*Resolved* (the Senate concurring), That a joint committee of five from the House, and three from the Senate, be appointed by the respective presiding officers of the two Houses, for the purpose of reārranging the Senate districts, and apportioning anew the Representatives among the counties and districts, as provided by article 4, section 4, of the Constitution ;

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

Mr. Carpenter moved to concur ;

Pending which,

Mr. Hubbell moved to lay the concurrent resolution on the table ;

Which motion prevailed.

#### NOTICES.

Mr. Shoemaker gave notice that on some future day he would ask leave to introduce

A bill appropriating moneys for repairs, improvements, and new buildings at the State prison at Jackson ;

Also,

A bill making an appropriation for the Pioneer Society, of the State of Michigan, for the years 1885 and 1886 ;

Also,

A bill to amend section eleven of chapter 156 of the revised statutes of 1846, being section 7663 of the compiled laws of 1871, relative to aiding prisoners to escape.

#### MOTIONS AND RESOLUTIONS.

Mr. Pulver offered the following resolution :

*Resolved*, That the committee on military affairs be instructed to investigate the department of the Quartermaster General with the view of ascertaining what, if any, bounties due Michigan soldiers have been paid on fraudulent certificates or assignment ;

Which was adopted.

#### INTRODUCTION OF BILLS.

Mr. Carveth, previous notice having been given and leave being granted, introduced

Senate bill No. 29, entitled

A bill for the protection of labor debts against exemption.

The bill was read a first and second time by its title, and referred to the committees on the judiciary and labor jointly.

Mr. Davenport, previous notice having been given and leave being granted, introduced

Senate bill No. 30, entitled

A bill to amend section 75 of chapter 10 of the compiled laws of 1871, being section 385 of Howell's Annotated Statutes, relative to county officers.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Davenport, previous notice having been given and leave being granted, introduced

Senate bill No. 31, entitled

A bill to amend section 8 and to repeal sections 10 and 11 of chapter 50 of the compiled laws of 1871, being sections 1762, 1764, and 1765 of Howell's Annotated Statutes, relative to the support of the poor by the public.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Davenport, previous notice having been given and leave being granted, introduced

Senate bill No. 32, entitled

A bill to establish a board of pardons.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Davenport, previous notice having been given and leave being granted, introduced

Senate bill No. 33, entitled

A bill to amend section 8 of chapter 6 of an act entitled "An act granting and defining the powers and duties of incorporated villages," approved April 1, 1875, being section 2840 of Howell's Annotated Statutes.

The bill was read a first and second time by its title, and referred to the committee on cities and villages.

Mr. Davenport, previous notice having been given and leave being granted, introduced

Senate bill No. 34, entitled

A bill to amend section 16 of chapter 9, compiled laws of 1871, being section 452 of Howell's Annotated Statutes, relative to county buildings;

The bill was read a first and second time by its title, and referred to the committee on counties and townships.

Mr. Davenport, previous notice having been given and leave being granted, introduced

Senate bill No. 35, entitled

A bill to amend section 8, chapter 10, of an act entitled "An act for the incorporation of cities," approved April 29, 1873, being section 2544 of Howell's Annotated Statutes.

The bill was read a first and second time by its title, and referred to the committees on the judiciary and cities and villages jointly.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 36, entitled

A bill for the relief of purchasers and settlers on swamp lands;

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Hawley moved that when the Senate adjourns, it stands adjourned until Monday, January 19, at 3 o'clock P. M.

Mr. G. A. Smith moved that the Senate do now adjourn.

Mr. G. A. Smith called for the yeas and nays.

The motion did not prevail by yeas and nays as follows:

## YEAS.

Mr. Curtiss, Davenport, Heisterman,	Mr. Hubbell, Hueston, Manwaring,	Mr. Monroe, Moon, Pennell,	Mr. Sherwood, Smith, G. A., Woodruff,	12
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## NAYS.

Mr. Austin, Belknap, Brown, Carpenter, Carveth,	Mr. Cline, Davis, Francis, Greiner,	Mr. Hawley, Hertzler, Kempf, Phelps,	Mr. Shoemaker, Smith, S. W., Spencer, Stephenson,	17
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The question being on the motion that when the Senate adjourn to-day it stand adjourned until Monday, January 19, at 3 o'clock P. M.

Mr. Hubbell moved to amend so that when the Senate adjourns to-day it stand adjourned until to-morrow morning at 10 o'clock.

Mr. G. A. Smith called for the yeas and nays.

The motion to amend prevailed, by yeas and nays as follows:

## YEAS.

Mr. Austin, Brown, Carpenter, Curtiss, Davenport, Edwards,	Mr. Francis, Heisterman, Hubbell, Hueston, Manwaring,	Mr. Monroe, Moon, Pennell, Pulver, Sherwood,	Mr. Smith, G. A., Smith, S. W., Spencer, Stephenson, Woodruff,	21
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## NAYS.

Mr. Belknap, Carveth, Cline,	Mr. Davis, Greiner, Hawley,	Mr. Hertzler, Kempf,	Mr. Phelps, Shoemaker,	10
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The question being on the original motion as amended,

Mr. Woodruff moved that the Senate do now adjourn.

Mr. Hertzler called for the yeas and nays.

The motion to adjourn then did not prevail by yeas and nays as follows:

## YEAS.

Mr. Curtiss, Davis, Edwards, Francis,	Mr. Heisterman, Hubbell, Hueston, Manwaring,	Mr. Monroe, Moon, Shoemaker,	Mr. Smith, G. A., Stephenson, Woodruff,	14
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## NAYS.

Mr. Austin, Belknap,	Mr. Cline, Davenport,	Mr. Hertzler, Kempf,	Mr. Pulver, Sherwood,
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Mr. Brown, Carpenter, Carveth,	Mr. Greiner, Hawley,	Mr. Pennell, Phelps,	Mr. Smith, S. W., Spencer,	17
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The question being on the motion that when the Senate adjourn to-day, it stand adjourned until to-morrow at 10 o'clock A. M.

Mr. G. A. Smith called for the yeas and nays.

The motion prevailed by yeas and nays as follows:

YEAS.

Mr. Curtiss, Davenport, Edwards, Francis,	Mr. Heisterman, Hubbell, Hueston, Manwaring,	Mr. Monroe, Moon, Pennell, Pulver,	Mr. Sherwood, Smith, G. A., Stephenson, Woodruff,	16
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NAYS.

Mr. Austin, Belknap, Brown, Carpenter,	Mr. Carveth, Cline, Davis, Greiner,	Mr. Hawley, Hertzler, Kempf, Phelps,	Mr. Shoemaker, Smith, S. W., Spencer,	15
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GENERAL ORDER.

On motion of Mr. G. A. Smith,

The Senate went into committee of the whole on the general order,

Mr. Curtiss in the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following:

Senate bill No. 17 (file No. 1), entitled

A bill to amend section 1 of chapter 131 of Howell's Statutes of Michigan, being an act entitled "An act in relation to life insurance companies transacting business within this State," and to add one new section thereto, to stand as section number 30;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend its passage.

JOHN L. CURTISS, *Chairman.*

The bill was then placed upon the order of third reading of bills.

Mr. Phelps asked and obtained leave of absence for himself until Friday, January 23.

On motion of Mr. G. A. Smith,

The Senate adjourned.

*Lansing, Saturday Jan. 17, 1885.*

The Senate met and was called to order by the President pro tem. at 10 o'clock A. M.

Prayer by the Rev. Mr. Wilson.

Roll called: quorum present.

Absent without leave, Senators Brown, Kempf, and Spencer.

Mr. Hertaler asked and obtained leave of absence for Mr. Kempf and Mr. Spencer for the day.

Mr. Carveth asked and obtained leave of absence for Mr. Brown for the day.

#### REPORTS OF STANDING COMMITTEES.

By the committee on appropriations and finance :

The committee on appropriations and finance to whom was referred the subject of mileage for the members, officers, and employés of the Senate, respectfully report that they have had the same under consideration, and have directed me to report to the Senate the following schedule, recommending that mileage be allowed as specified therein :

	Miles.		Miles
Lient. Gov. A. Buttars.....	516	Mr. Hubbell.....	1,616
Mr. Austin.....	92	Henston.....	136
Belknap.....	118	Kempf.....	156
Brown.....	150	Manwaring.....	140
Carpenter.....	162	Monroe.....	296
Carveth.....	184	Moon.....	236
Cline.....	230	Pennell.....	16
Curtiss.....	150	Phelps.....	200
Davenport.....	136	Pulver.....	34
Davis.....	176	Sherwood.....	300
Edwards.....	284	Shoemaker.....	80
Francis.....	456	Smith, G. A.....	170
Greiner.....	190	Smith, S. W.....	150
Hawley.....	174	Spencer.....	102
Heisterman.....	344	Stephenson.....	1,052
Henry.....	330	Woodruff.....	240
Hertzler.....	214		
Lewis M. Miller, secretary.....			2
John D. Sumner, assistant secretary.....			212
Frank M. Howe, engrossing and enrolling clerk.....			406
Mrs. I. R. Jameson, assistant engrossing and enrolling clerk.....			2
P. Q. Stoner, sergeant-at-arms.....			1,052
W. W. Williams, 1st assistant sergeant-at-arms.....			36
Daniel G. Crotty, 2d assistant sergeant-at-arms.....			236
Barnhardt Rice, janitor.....			132
Cyrus C. Ryther, 1st assistant janitor.....			294
George Buttars, 2d assistant janitor.....			406
Charles M. Howell, clerk judiciary committee.....			1,666
George M. Dewey, clerk committees on State affairs and appropriations and finance.....			60
Edwin S. Hoskins, clerk committees on railroads, liquor traffic, and education and public schools.....			202
Charles E. Goodrich, clerk committee on cities and villages.....			376
J. C. Ford, keeper of coat room.....			150
Vicenzo A. Hackley, keeper of Senate committee rooms.....			174
Harry S. Hulbert, Governor's messenger.....			174
Charles C. Ames, President's messenger.....			80
Abram N. Shook, Secretary's messenger.....			148



	Miles.
Harry H. Haynes, Sergeant-at-Arms' messenger.....	102
Charles Dunham, messenger.....	144
Edward P. Safford, messenger.....	240
Harvey Clippinger, messenger.....	2
Geo. C. Monroe, messenger.....	296
Allen Brubaker, messenger.....	506
Lewis H. Haynes, messenger.....	170

Respectfully submitted,

G. A. SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. G. A. Smith.

The report of the committee was adopted.

By the committees on judiciary and labor, jointly:

The committees on judiciary and labor, to whom was jointly referred  
Senate bill No. 6, entitled

A bill to amend section 8382, of volume 2 of Howell's Annotated Statutes of Michigan, of the year 1882, relative to the enforcement of liens,

Respectfully report that they have had the same under consideration and have directed us to report the same back to the Senate without amendment and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL,

*Chairman on Judiciary.*

J. W. MOON,

*Chairman of Committee on Labor.*

Report accepted and committees discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committees on judiciary and labor:

The committees on judiciary and labor to whom was jointly referred  
Senate bill No. 29, entitled

A bill for the protection of labor debts against exemptions.

Respectfully report that they have had the same under consideration, and have directed us to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL,

*Chairman of Judiciary Committee.*

J. W. MOON,

*Chairman of Committee on Labor.*

Report accepted and committees discharged.

On motion of Mr. Shoemaker,

The Senate concurred in the amendments made to the bill by the committees.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations to whom was referred  
Senate bill for No. 3, entitled

A bill for the formation of corporations for the cultivation of art,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. J. MONROE, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations to whom was referred

Senate bill No. 4, entitled

A bill to regulate gas works in the State of Michigan,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it be printed for the use of the committee.

C. J. MONROE, *Chairman*.

Report accepted.

On motion of Mr. Monroe,

The Senate concurred in the recommendation of the committee, and the bill was then ordered printed for the use of the committee.

#### NOTICES.

Mr. Greiner gave notice that on some future day he would ask leave to introduce

A bill amending section 9199 of Howell's Annotated Statutes, relative to breaking locks and chains attached to boats.

Mr. Francis gave notice that on some future day he would ask leave to introduce

A bill to amend section 1414 of Howell's Annotated Statutes, being section 3 of chapter 11 of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to the establishment, opening and maintenance of highways and private roads, and the building, repairing and preservation of bridges within this State."

Mr. Monroe gave notice that on some future day he would ask leave to introduce

A joint resolution for the relief of Lorenzo Buck;

Also,

A joint resolution for the relief of Albert Manypenny.

#### MOTIONS AND RESOLUTIONS.

Mr. Moon offered the following concurrent resolution:

WHEREAS, There is destitution among the laboring classes in our State, on account of their not being able to obtain employment; and

WHEREAS, A large per cent of all moneys expended in erecting public buildings is paid out directly to the day laborer; and

WHEREAS, There is a large surplus of money in the United States treasury, a part of which might be used in relieving the destitution now existing; therefore be it

*Resolved by the Senate of the State of Michigan* (the House concurring therein), That our Senators and Representatives in Congress be, and they are hereby requested to use their influence to secure an appropriation sufficient

to erect suitable buildings for postoffices (and other government purposes) in all cities in the State that have a population of ten thousand or more (as shown by the State census of 1884) that have not already such buildings.

On motion of Mr. Manwaring,

The concurrent resolution was referred to the committee on federal relations.

Mr. Hawley moved that when the Senate adjourns to-day that it stands adjourned until Monday evening, January 19, at 8 o'clock.

Mr. Carveth called for the yeas and nays;

The motion to adjourn then prevailed by yeas and nays as follows:

#### YEAS.

Mr. Austin,	Mr. Greiner,	Mr. Moon,	Mr. Smith, S. W.,
Carveth,	Hawley,	Pennell,	Woodruff,
Cline,	Hertzler,	Sherwood,	President
Davenport,	Hueston,	Shoemaker,	<i>pro tem.</i>
Davis,			16

#### NAYS.

Mr. Carpenter,	Mr. Francis,	Mr. Hubbell,	Mr. Pulver,
Curtiss,	Heisterman,	Manwaring,	Smith, G. A.,
Edwards,	Henry,	Monroe,	Stephenson, 12

Mr. Moon asked and obtained leave of absence for Mr. Carveth until Tuesday morning, January 20.

Mr. Hubbell asked and obtained leave of absence for Mr. Sherwood until Wednesday morning, January 21.

Mr. Hubbell offered the following resolution:

*Resolved*, That the Sergeant-at-Arms be and he is instructed to cause double windows to be put in the windows on the west side of the Senate chamber;

Which was adopted.

#### INTRODUCTION OF BILLS.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 37, entitled

A bill to prevent the spread of contagious diseases among cattle.

The bill was read a first and second time by its title, and referred to the committee on agricultural interests.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 38, entitled

A bill to prevent the spread of glanders and farcy.

The bill was read a first and second time by its title, and referred to the committee on agricultural interests.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 6, entitled

Joint resolution to provide for the exhibition of the horticultural and pomological productions of this State, at the exhibition of the American Pomological Society, to be held in Grand Rapids, Michigan, in September, 1885.

The joint resolution was read a first and second time by its title, and referred to the committees on horticulture, and appropriations and finance, jointly.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 39, entitled

A bill making an appropriation for the Pioneer Society of the State of Michigan, for the years 1885 and 1886.

The bill was read a first and second time by its title and referred to the committee on appropriations and finance.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 40, entitled

A bill appropriating moneys for repairs, improvements, and new buildings of the State prison at Jackson.

The bill was read a first and second time by its title and referred to the committees on appropriations and finance and State prison jointly.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 41, entitled

A bill to amend section 11 of chapter 156 of the revised statutes of 1846, being section 7663 of the compiled laws of 1871, relative to aiding prisoners to escape.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 42, entitled

A bill to amend sections 4, 5, 6, 16, 40, 41, 44, 48, 49, 57, 59, 62, and 64 of an act entitled "An act to revise and consolidate the laws relative to the State prison and the government and discipline thereof, and to repeal all acts inconsistent therewith," approved May 3, 1875, as amended by act No. 200 of the session laws of 1877, approved May 23, 1877, or by act No. 284 of the session laws of 1881, approved June 11, 1881, being section 9671, 9672, 9673, 9682, 9703, 9704, 9707, 9710, 9711, 9719, 9721, 9724, and 9726 of Howell's Annotated Statutes.

The bill was read a first and second time by its title, and referred to the committee on State prison.

#### THIRD READING OF BILLS.

A bill to amend section 1 of Chapter 131 of Howell's Statutes of Michigan, being an act entitled "An act in relation to life insurance companies transacting business in this State," and to add one new section thereto, to stand as section No. 30.

The bill was then read a third time, and on motion of Mr. Edwards was recommitted to the committee on insurance.

#### GENERAL ORDER.

On motion of Mr. Hawley,

The Senate went into committee of the whole on the general order.

Mr. Edwards in the chair.

After some time spent therein, the committee rose, and, through their chairman, made the following report:

The committee of the whole have had under consideration the following:

House joint resolution No. 2, entitled

Joint resolution requiring our Senators and Representatives to vote for the passage of the bill to prevent the importation of laborers,

Have directed their chairman to report the same back to the Senate, with the recommendation that it be printed and recommitted to the committee of the whole.

EDWARD E. EDWARDS, *Chairman.*

Report accepted.

On motion of Mr. G. A. Smith,

The Senate concurred in the recommendation of the committee of the whole.

The bill was ordered printed and recommitted to the committee of the whole.

Mr. Shoemaker moved that the Senate do now take a recess until 2 o'clock P. M.

Pending which,

On motion of Mr. Hawley,

The Senate adjourned.

The President *pro tem.* announced that the Senate would stand adjourned until Monday next, at 8 o'clock P. M.

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*Lansing, Monday, January 19, 1885.*

The Senate met and was called to order by the President at 8 o'clock P. M.

Roll called: quorum present.

Absent without leave: Senators Brown, Davenport, Greiner, Henry, Hertzler, and Hueston.

On motion of Mr. Shoemaker, all absentees were excused for this evening's session.

#### PETITIONS.

No. 15. By Mr. Monroe: Resolutions of the board of supervisors of Van Buren county, relative to taxing liquors, also relative to personal property statements to supervisors;

Referred to the select committee on taxation and liquor traffic, jointly.

#### REPORTS OF STANDING COMMITTEES.

By the committee on insurance:

The committee on insurance to whom was referred

Senate bill No. 17, (file No. 1,) entitled

A bill to amend section 1 of chapter 131 of Howell's Statutes of Michigan, being an act entitled "An act in relation to life insurance companies transacting business within this State," and to add one new section thereto to stand as section No. 30,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

EDWARD E. EDWARDS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Edwards,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then recommitted to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

Senate bill No. 23, entitled

A bill to detach certain portions of territory from the townships of Springwells, Greenfield, and Hamtramck, and to annex the same to the city of Detroit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that the same be printed and recommitted to the committee.

WM. H. FRANCOIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the recommendation of the committee.

The bill was then ordered printed and recommitted to the committee.

#### NOTICES.

Mr. Cline gave notice that on some future day he would ask leave to introduce

A bill to amend section eleven of the general tax law of 1882, by adding a new clause thereto to stand as subdivision eight of said section, to provide for the assessment and taxation of buildings and other property not otherwise exempt from taxation, and being upon the lands of this State, or the United States, as personal property, in the township to which such lands belong, or form a part.

Mr. Davis gave notice that on some future day he would ask leave to introduce

A bill to remove all the dead bodies from the cemetery in the village of Vassar, Tuscola county.

Mr. Pennell gave notice that on some future day he would ask leave to introduce

A bill to amend section 2 and section 6 of act 127, of the session laws of 1879, approved June 30, 1879, being section 1538 and section 1542 of Howell's Annotated Statutes, in relation to inspection of illuminating oils.

Mr. Austin gave notice that on some future day he would ask leave to introduce

A bill to amend section 13 of Act No. 187, of the session laws of 1875, entitled "An act for the incorporation of manufacturing companies," approved May 1, 1875, being section 4139 of Howell's Annotated Statutes.

Mr. Hawley gave notice that on some future day he would ask leave to introduce

A bill to prevent any board, commission, common council, or public corporation from hiring any person holding office under the laws of this State to draw a bill to be presented to the Legislature;

Also,

A bill to prescribe the manner in which the board of auditors of Wayne county shall exercise their powers.

MESSAGE FROM THE GOVERNOR.

The President announced the following:

STATE OF MICHIGAN, }  
EXECUTIVE OFFICE, }  
Lansing, January 7, 1885. }

*To the Legislature:*

In accordance with the requirements of the constitution of this State I transmit herewith statement of pardons and commutations of sentence granted by me during my term of office with the reason therefor, as follows:

1. William Holt. Convicted in the Recorder's Court of the City of Detroit of murder, and sentenced in 1865 to life imprisonment in the State Prison at Jackson. Pardoned January 3, 1883. Holt was pardoned upon the letters and written statements of the trial judge, all the living jurors, and affidavits and written statements of large numbers of the citizens of Detroit as to the bad reputation of the inculpatory witnesses, John Dunn and Samuel Post, being so bad as to render their statements unworthy of belief, their testimony having been given in hope of reward, and in case of Dunn to earn immunity from a charge of rape then impending over him.

2. John Ryan. Convicted in the Recorder's Court of the City of Detroit of burglary, and sentenced for 15 years from February 17, 1876, to the State Prison at Jackson. Pardoned January 5, 1883. Ryan was pardoned at the request of Judge Swift, who presided at his trial, who stated that he should not have imposed the severe sentence he did had he known Ryan's previous good character as certified to by Ex-Senator Lyman G. Trumbull, Ex-Congressman C. B. Farwell, and other prominent and well known citizens of Chicago. His pardon was also recommended by Prosecuting Attorney Hawley, and many of the best citizens of Detroit.

3. Frank McGinnis. Convicted in the Recorder's Court of the City of Detroit of forgery, and sentenced for 12 years from March 2, 1877, to the State Prison at Jackson. Pardoned February 3, 1883. McGinnis was but 19 years old at the time of his conviction, and the sentence would appear to have been exceedingly severe for one so young. His pardon was recommended by the judge who tried him, and by many of the most reputable citizens of Detroit. His jail record was excellent, having been a faithful and efficient teacher in the prison school.

4. Edward Sullivan. Convicted in the Circuit Court for the County of Genesee of manslaughter, and sentenced for seven years from March 18, 1878, to the State Prison at Jackson. Pardoned February 3, 1883. Sullivan's prison record was reported as very good, and his sentence, owing to good time gained would have expired in a few months. His pardon was recommended

by the judge who sentenced him, by the prosecuting attorney, and all the jurors who could be seen, and by many of the most respectable citizens of Genesee county. Happening in my own county I was familiar with the facts and considered the sentence too severe.

5. Samuel Ulam. Convicted in the Circuit Court for the County of Kalamazoo of murder, and sentenced in March, 1855, to the State Prison at Jackson for life. Pardoned March 1, 1883. From a mass of evidence submitted to me (most of which had been discovered after his conviction), and which had satisfied very many persons quite as well able to judge as myself of Ulam's innocence, I pardoned him, believing him innocent of the crime for which he had lain in prison 28 years.

6. Austin Parks. Convicted in the Circuit Court for the County of Oakland of assault with intent to murder, and sentenced for 20 years from June 15, 1876, to the State Prison at Jackson. Pardoned March 1, 1883. Parks' pardon was asked for by Judge Baldwin who had sentenced him, who upon reflection, and from new facts brought to his knowledge, considered the sentence much too severe. The prison physician also certified that Parks had been in hospital most of the time for three years, and could not probably recover unless set at liberty.

7. Elmer Angle. Convicted in Justice's Court in Genesee county of assault and battery, and sentenced for 90 days from February 23, 1883, to the State House of Correction at Ionia. Pardoned April 11, 1883. Elmer Angle, a mere boy, was convicted of assault and battery, his offense consisting in cutting some hair from the head of a girl schoolmate. The agent of the Board of Corrections and Charities for Genesee disapproved the sentence and protested against it. As soon as a good home could be procured for Angle I pardoned him.

8. John W. Moore. Convicted in the Recorder's Court for the City of Detroit of larceny, and sentenced for four years from August 23, 1880, to the State Prison at Jackson. Pardoned April 10, 1883. Moore was pardoned at the request of Judge Swift, the trial judge, Henry N. Brevoort, prosecuting attorney, the mayor, and many prominent citizens of Detroit, who assured me that the young man had been sufficiently punished, and that a pardon would in all probability insure his keeping in the right path in future.

9. Charles Gilbert. Convicted in the Recorder's Court for the City of Detroit of uttering a forged instrument, and sentenced for three years from December 20, 1880, to the State House of Correction at Ionia. Pardoned April 12, 1883. Gilbert was a young man of good family, and realized most fully the deplorable consequences of his crime. Owing to his good conduct he had but about two months longer to serve. I pardoned him, satisfied by personal interviews its effects would be good, his future life made more hopeful, and resolutions to lead a new life stronger in consequence.

10. Robert Garbutt. Convicted in the Recorder's Court for the City of Detroit of murder in the second degree, and sentenced for life on August 2, 1868, to the State Prison at Jackson. Pardoned April 17, 1883. Garbutt's life sentence had been commuted by Governor Jerome to 20 years. I became satisfied that Garbutt's failing health would in all probability prevent his receiving any benefit from Gov. Jerome's well-meant and deserved clemency, and that under the circumstances he was entitled to a pardon.

11. John Considine. Convicted in the Circuit Court for the County of Macomb of larceny, and sentenced for two years from September, 1881, to



the State House of Correction at Ionia. Pardoned April 18, 1883. In the case of Considine I remitted three or four weeks of a sentence which hardly seemed sustained by the evidence, to enable him to visit his family in the time of their affliction and bereavement.

12. Francis E. Hilliard. Convicted in the Circuit Court for the County of Allegan of assault with intent to murder, and sentenced for three years from October 25, 1882, to the State Prison at Jackson. Pardoned April 19, 1883. Judge Arnold, who sentenced Hilliard, wrote me: "I am not and was not satisfied in my own mind beyond reasonable doubt of his intent to murder." His sister-in-law, the injured party (the offense being the result of a family quarrel), as well as her husband, the brother of Hilliard, asked for his pardon. Indeed, the relatives generally united in representing to me that family concord and the ends of justice would both be promoted by Hilliard's pardon.

13. Thomas Kidd. Convicted in the Circuit Court for the County of Sanilac of murder, and sentenced on January 6, 1871, to the State Prison at Jackson for life. Pardoned May 4, 1883. Kidd was convicted on evidence wholly circumstantial and not satisfactory. He was only 18 years old at the time the offense alleged against him was committed. The judge and prosecuting officers united in the request for his pardon, and the best people who knew the circumstances expressed grave doubt as to Kidd's guilt. His prison record was unexceptionable.

14. Charles Colbath. Convicted in the Circuit Court for the County of Lenawee of assault with intent to murder, and sentenced April 12, 1882, to 14 years' imprisonment in the State Prison at Jackson. Pardoned June 14, 1883. The best citizens of Adrian in large numbers assured me that new facts had been discovered, which, had they been known at the time of Colbath's trial, would have secured his acquittal.

15. Julian Moore. Convicted in the Circuit Court for the County of Oakland of larceny, and sentenced December 1, 1881, to five years' imprisonment in the State Prison at Jackson. Pardoned June 14, 1883. Moore with two other persons was charged with the crime of larceny. The others pleaded guilty; Moore was tried and convicted on their testimony. While the evidence showed that Moore, if guilty, was not the principal offender, the others were let off with one year each at Ionia, but Moore was sentenced to five years at Jackson. His pardon was asked by the judge, prosecuting attorney, complaining witness, and the sheriff and other officers of Oakland county.

16. Louis Contoi. Convicted in the Circuit Court for the County of Houghton of murder, and sentenced October 25, 1866, to imprisonment for life in the State Prison at Jackson. Pardoned June 14, 1883. Contoi, an Indian, had taken an Indian's vengeance on a man who had betrayed his confidence in regard to a mine, by shooting him. During his nearly 17 years in prison not a single breach of discipline had been charged against him. Mrs. Haviland and others had become interested in his case and desired his pardon. Ex-Warden Humphrey was earnest in his behalf, and wrote, "I believe Louis Contoi will if released from prison lead an honest, upright life; and that society will be in no way injured, nor human life be less secure because of his restoration to freedom."

17. James J. Shafer. Convicted in the Circuit Court for the County of Hillsdale of larceny, and sentenced October 31, 1882, to imprisonment in the State House of Correction at Ionia for four years. Pardoned June 18, 1883. Shafer's physical condition was such that he could not possibly live out his

term of imprisonment. At the request of his relatives and the officers of the prison he was pardoned simply on the ground of humanity.

18. Clinton Hinkley. Convicted in the Circuit Court for the County of Hillsdale of breaking and entering a railroad car, and sentenced May 8, 1882, to two years' imprisonment in the State House of Correction at Ionia. Pardoned June 29, 1883. This was a first offense. Hinkley had borne a good reputation, had served more than half his sentence, and was pardoned that he might support his widowed mother at the request of many reputable citizens of Hillsdale county.

19. Charles Reep. Convicted in the Circuit Court for the County of Kent of assault with intent to murder, and sentenced December 29, 1881, to four years' imprisonment in the State House of Correction at Ionia. Pardoned July 25, 1884. Reep's crime was shooting at and slightly wounding a wife who persisted in drunkenness and worse vices. For this he had suffered two years' imprisonment, and his pardon was asked by judge, jury, and many of the best citizens of Grand Rapids.

20. William Shields. Convicted in the Circuit Court for the County of Kent of robbery, and sentenced June 20, 1882, to three years' imprisonment in the State House of Correction at Ionia. Pardoned July 25, 1883. Shields had been in the prison hospital a considerable time, and was pardoned on the certificate of the prison physician that he was suffering from Bright's disease, and that there was little probability of his recovery if kept in prison.

21. William Carroll. Convicted in the Circuit Court of the County of Lenawee of burglary, and sentenced May 14, 1881, to five years' imprisonment in the State House of Correction at Ionia. Pardoned July 25, 1883. Carroll was pardoned at the request of the officers of the prison, who represented that he had been suffering for a long time from lung disease, was confined to the hospital, and likely to live but a short time if kept in prison.

22. Charles Powers. Convicted in the Circuit Court for the County of Maize of manslaughter, and sentenced June 6, 1883, to five months' imprisonment in the State House of Correction at Ionia. Pardoned August 6, 1883. Powers, an aged minister, was convicted of manslaughter. He had for many years been accustomed to act as physician to the poor people among whom he labored, and who would otherwise have been without medical aid. His alleged offense consisted in having attended a case of confinement where death ensued and which regular physicians claimed was mal-practice. His pardon was asked for by nearly 2,000 persons, about forty of them clergymen, who certified to his high moral character and useful life.

23. Wm. Damouth. Convicted in the Circuit Court for the County of Barry of breaking and entering a shop in the night-time, and sentenced February 9, 1882, to three years' imprisonment in the State Prison at Jackson. Pardoned August 9, 1883. Damouth had been a young man of good reputation, and a large number of citizens of Barry county asked for his pardon on the ground that the sentence was too severe. He had been in hospital for a number of months, when on June 3, 1883, the prison physician wrote me: "He is helpless; the whole aspect of his case is unfavorable to recovery." Damouth continued to fail rapidly, and after satisfying myself of his hopeless condition, about two months later I pardoned him.

24. Alexander Frazier. Convicted in the Circuit Court for the County of Wayne of murder, and sentenced December 9, 1856, to life imprisonment in the State Prison at Jackson. Pardoned September 1, 1883. Frazier's con-

viction of murder was not considered sustained by the evidence. A conviction of manslaughter would probably have been correct. He had been in prison 27 years, and at the request of Senator Strong and other reputable citizens of Monroe county, and after the most positive assurances that he would not be allowed to become a public charge, he was pardoned.

25. Abbot B. Hemmingway. Convicted in the Circuit Court for Branch county of aiding and abetting the crime of arson, and sentenced October 22, 1882, to nine years' imprisonment in the State Prison at Jackson. Sentence commuted to one year September 1, 1883. Hemmingway was convicted after a trial which excited much feeling and comment in Branch county. His pardon was asked for by over 3,000 citizens of that county. Before commuting his sentence I personally conversed with citizens of Coldwater most likely to form an intelligent and unprejudiced opinion, and found their views coincided with those of the petitioners for a pardon.

26. Louis Gale. Convicted in the Superior Court of the City of Grand Rapids of uttering and publishing as true a forged mortgage, and sentenced March 23, 1883, to two years' imprisonment in the State Prison at Jackson. Pardoned September 14, 1883. I pardoned Gale, believing from the evidence presented to me (and much of which had not been placed before the jury which convicted him) that he was innocent of the crime for which he was imprisoned.

27. George W. Hathaway. Convicted in the Circuit Court for the County of Branch of aiding and abetting the crime of arson, and sentenced March 15, 1883, to one year's imprisonment in the State House of Correction at Ionia. Hathaway's offense was committed in connection with A. B. Hemmingway. His pardon was also numerously petitioned for and was granted for the same reason.

28. John Dunning. Convicted in the Circuit Court for Isabella county of assault with intent to murder, and sentenced June 19, 1877, to nine years' imprisonment in the State Prison at Jackson. Pardoned November 1, 1883. Dunning was pardoned at the request of Warden Pond for valuable services rendered October 26, 1883, in preventing the escape of a convict who, in making his second attempt to escape, had placed a "dummy" in his cell, and was caught by Dunning while attempting to escape through one of the chapel windows.

29. Jedediah Van Allen. Convicted in the Circuit Court for the County of Tuscola of murder in the second degree, and sentenced October 27, 1877, to seven years and ten months' imprisonment in the State Prison at Jackson. Van Allen was pardoned on the recommendation of Warden Pond, having on September 15, 1883, rescued one of the keepers when assaulted by a convict, and saved him from severe injury. Van Allen had but six weeks longer to serve.

30. Bernard Einstein. Convicted in the Circuit Court for the County of Lenawee of lewd and lascivious cohabitation, and sentenced April 28, 1883, to one year's imprisonment in Lenawee county jail. Pardoned April 28, 1883. Einstein was pardoned on the request of the sheriff of Lenawee county and other citizens of Adrian, having rendered important service in preventing an escape of prisoners from Lenawee county jail.

31. William Woods. Convicted in the Recorder's Court of the City of Detroit of burglary, and sentenced March 27, 1876, to 15 years' imprisonment in the State House of Correction at Ionia. Pardoned January 24, 1884.

Woods, at the age of 20 years was sentenced to 15 years' imprisonment for burglary, although previously a young man of good reputation. He had spent nearly eight years in prison, a longer time than is usually imposed on young offenders for a like offense. Satisfied not only that he had been sufficiently punished, but also that he would make a good citizen when liberated, I pardoned him.

32. Martin Perk. Convicted in the Circuit Court for the County of Branch of arson, and sentenced December 12, 1882, to three years and four months' imprisonment in the State House of Correction at Ionia. Pardoned January 24, 1884. Perk was the third party implicated with Hemmingway and Hathaway in the arson cases at Coldwater. His release was asked for by over 1,100 citizens of Branch county, and was granted for the same reasons as the others.

33. Henry Hanscomb. Convicted in the Circuit Court for the County of Muskegon of burglary, and sentenced September 14, 1881, to five years' imprisonment in the State Prison at Jackson. Pardoned March 4, 1884. Hanscomb came into this state with a circus. At Muskegon he became intoxicated, and his crime consisted in taking some articles of little value from the rear end of a saloon. Judge Russell who sentenced him wrote me that certain local reasons seemed at the time to call for heavy sentence, and that had Hanscomb been able to show good character he would not have sentenced him for over two or three years. His good character was established to my satisfaction by citizens of South Berwick, Maine, where Hanscomb's wife and children resided.

34. John A. Henwood. Convicted in the Circuit Court for the County of Berrien of murder in the second degree, and sentenced February 5, 1877, to 10 years' imprisonment in the State Prison at Jackson. Pardoned March 11, 1884. Henwood had been in hospital for nearly three years. His pardon was asked for by Ex-Judge Coolidge, who tried him, Ex-Prosecuting Attorney Van Riper, who prosecuted the case, by every supervisor of Berrien county, and would have been granted on the ground of humanity alone.

35 and 36. Fred Wilcox and Henry Frain were convicted in the Circuit Court for the County of Shiawassee of burglary, and sentenced February 17, 1883, to two years' imprisonment in the State House of Correction at Ionia. Pardoned March 12, 1884. These young men, about 19 years old each, were arrested at Owosso on some trifling matter, and while in custody, of their own accord, confessed to having robbed a store the summer before. There was no evidence against them but their confession, and this they gave as they said from their sorrow at having committed the offense. Their pardon was asked for by all the county officers of Shiawassee county, and other prominent citizens.

37. Wm. Ferguson. Convicted in the Circuit Court for the County of Bay of larceny from the person, and sentenced June 10, 1881, to five years' imprisonment in the State Prison at Jackson. Pardoned March 23, 1884. Ferguson's sister called on me with a letter which she had received from the warden of the prison, informing her that her brother could live but a short time, and calling her attention to the law which required the warden, unless the body was claimed by the relatives, to forward it to the dissecting room at Ann Arbor. She offered to take her brother outside the prison, care for him till he died and bury him, and I pardoned him.

38. A. O. Jenkins. Convicted in the Circuit Court for the County of Kent of forgery, and sentenced February 21, 1882, to three years' imprisonment in

the State House of Correction at Ionia. Pardoned March 25, 1884. Jenkins was employed in the prison as clerk and book-keeper. His faithful attention to duty and upright conduct induced the officers or the prison to ask that the few remaining months of his sentence might be remitted. His pardon was also asked for by Lieut. Gov. Crosby, Senator Hine, Judge Parrish, the complaining witness, who was the injured party, and other citizens of Kent county.

39. Harriet J. Bush. Convicted in the Circuit Court for the County of Montcalm of assault and battery, and sentenced March 6, 1884, to forty-five days' imprisonment in Montcalm county jail. Pardoned March 26, 1884. The alleged assault and battery grew out of unpleasant relations with her husband, there being many extenuating circumstances in favor of Mrs. Bush. At the time of her pardon she had spent twenty days in the county jail, and it was certified to me that longer imprisonment would imperil her health.

40. John Curtis. Convicted in the Circuit Court for the County of Van Buren of burglary, and sentenced May 29, 1882, to five years' imprisonment in the State Prison at Jackson. Pardoned April 4, 1884. The history of Curtis's case has already been given to the public. Paralyzed, insane, a mere wreck both physically and mentally, I gave him to his friends to care for with no hope of his recovery.

41. George Brown. Convicted in Justice's Court in Lenawee county of larceny, and sentenced February 5, 1884, to 90 days' imprisonment in the State House of Correction. Pardoned April 1, 1884. Brown had nearly served out his 90 days, and was pardoned at request of officers of Lenawee county as a reward for services rendered in the conviction of criminals.

42. Jay Mead. Convicted in the Circuit Court for the County of Shiawassee of burglary, and sentenced May 11, 1882, to five years' imprisonment in the State Prison at Jackson. Commuted to 2½ years April 21, 1884. Mead was a hard-working man of good reputation, and was convicted of a burglary committed near where, in company with his wife and children, he was visiting at the house of an acquaintance. Great doubt exists in the minds of those best able to judge, as to Mead being the guilty party. In view of all the circumstances, Mead's sentence seemed to be too long, and I reduced it one-half.

43. Edward Washington. Convicted in the Circuit Court for Wayne county of robbery, and sentenced July 24, 1879, to six years' imprisonment in the State House of Correction at Ionia. Pardoned April 25, 1884, that he might die at home under the care of his aged mother, but died before his pardon reached the prison.

44. Francis A. Wardell. Convicted in the Recorder's Court of the City of Detroit of uttering and publishing as true a forged instrument, and sentenced February 19, 1883, to four years' imprisonment in the Detroit House of Correction. Pardoned April 25, 1884. Wardell did not belong to the criminal class. I first knew him as a wounded soldier, when I procured for him a position in the postoffice. I think others holding high positions are as much to blame as Wardell. His mother and his family needed his services, and I have no doubt he will live an upright life in future.

45. Frederick W. Brown. Convicted in the Circuit Court for the County of Saginaw of burglary, and sentenced March 7, 1883, to three years' imprisonment in the State House of Correction at Ionia. Pardoned May 22, 1884. Brown, a reputable young man, was convicted upon testimony which after-

wards proved to be unreliable. From statements of the judge and prosecuting attorney I believed him innocent.

46. Isadore Jones. Convicted in the Recorder's Court for the City of Detroit of knowingly receiving stolen property, and sentenced October 1, 1881, to five years' imprisonment in the State Prison at Jackson. Pardoned May 27, 1884, at the request of E. F. Conely, superintendent of police, Detroit, and Judge Swift, the trial judge, who had come to regard Jones as innocent of the crime of which he had been convicted.

47. William McDonald. Convicted in the Circuit Court for the County of Kent of burglary, and sentenced July 6, 1883, to two years' imprisonment in the State House of Correction at Ionia. Pardoned August 6, 1884. McDonald was pardoned at the request of the prison officers, on the ground that he was in the last stages of consumption and could hardly expect to live the remaining eight months of his sentence.

48. Talmon Owen. Convicted in Justice's Court in Genesee county of being a drunkard, and sentenced July 22, 1884, to three months' imprisonment in the State House of Correction at Ionia. Pardoned August 22, 1884, in pity to his family, and on his promise to reform.

49. George Bentley. Convicted in the Superior Court of the City of Grand Rapids of larceny, and sentenced July 10, 1883, to four years' imprisonment in the State Prison at Jackson. Pardoned October 27, 1884. Bentley, a colored man of excellent reputation was janitor in a bank at Grand Rapids. A considerable sum of money was carelessly exposed by the bank officials, and under the temptation was appropriated by Bentley, who had been previous to that time an honest man. The money was recovered by the bank, and I believe Bentley was sufficiently punished. His pardon was asked for by bank officers and others at Grand Rapids.

50. Pearly Pearsall. Convicted in the Circuit Court for the County of Kent of larceny, and sentenced June 6, 1883, to two years' imprisonment in the State House of Correction at Ionia. Pardoned October 29, 1884. Pearsall was but 20 years old when convicted, is of excellent family, and was convicted on the testimony of an accomplice, under conditions that might well have raised a doubt as to his guilt. His pardon was asked for by some of the most reputable citizens of Kent county familiar with the facts.

51. George Knill. Convicted of keeping open a bar on a legal holiday, and sentenced in the Circuit Court of Genesee county, November, 1882, to pay a fine and be imprisoned ten days. Knill suffered his imprisonment and paid his fine in 1882. Some of his friends represented to me that he was laboring under mental distress which could only be relieved by a pardon. The attorney general informed me that there was no legal objection to my issuing a pardon, but that it could relieve Mr. Knill of no disabilities as he was laboring under none. Mr. Knill when informed of the attorney general's opinion still wanted a pardon, and it was issued November 11, 1884, though of no possible effect in his case.

52. Charles Coon. Convicted in the Circuit Court of Genesee county of uttering and publishing as true a false and forged promissory note, and was sentenced February 26, 1881, to five years' imprisonment in the State Prison at Jackson. Pardoned December 3, 1884. This was Coon's first offense, and there were many extenuating circumstances. His sentence, and I was familiar with all the facts, seemed to me much too severe.

53. John Riley. Convicted in the Circuit Court for the County of Oakland

of burglary, and sentenced September 6, 1879, to 15 years' imprisonment in the State Prison at Jackson. Pardoned December 3, 1884. Riley was from Mount Morris, N. Y., and belonged to a very respectable family, and bore a good reputation. Several hundred citizens of that place asked for his pardon, and bore testimony to his good reputation. The judge and prosecuting attorney united in declaring Riley's sentence much too severe, as he had been sentenced under a misapprehension of his true character.

54. John Miller. Convicted in the Recorder's Court of the City of Detroit of burglary, and sentenced August 21, 1882, to four years' imprisonment in the State Prison at Jackson. Pardoned December 5, 1884. Miller's condition both mentally and physically was bad. He was but 20 years old when convicted, and had served two-thirds of his sentence. His pardon was asked for by the judge, prosecuting attorney, and jury that tried him.

55. Timothy Lynch. Convicted in the Circuit Court of Bay county January 27, 1874, of rape. Pardoned December 12, 1884. Lynch was convicted in Bay county in 1874, on testimony which afterwards proved to be unreliable. Before sentence he escaped to Sarnia, in Canada, where he had resided for 10 years. His excellent character while there is attested to by judges, members of parliament, and other officials. A numerous signed petition of the people of Bay City asked for his pardon that he might again reside among them.

56 and 57. Joseph Roose and Cardamen Deo were convicted in the Circuit Court for Genesee county of abducting a female for purposes of prostitution, and sentenced August 22, 1881, to eight months' imprisonment in the common jail of Genesee county. Pardoned December 17, 1884. Their conviction was a surprise to the citizens of Flint acquainted with the facts, and a numerous signed petition was presented for their pardon.

58. Frank W. Penny. Convicted in the Recorder's Court of the City of Detroit of larceny, and sentenced May 1, 1886, to 3½ years' imprisonment in the State House of Correction at Ionia. Pardoned December 17, 1884. Penny was pardoned at the request of the prison board and officers, on account of valuable services in preventing the escape of prisoners.

59. Dan Van Waggoner. Convicted in the Circuit Court for the County of Kalamazoo of assault with intent to murder, and sentenced May 5, 1877, to imprisonment in the State Prison at Jackson for 45 years—afterward commuted to State House of Correction for same period. Sentence commuted December 17, 1884, so his imprisonment will expire January 1, 1886. I pardoned Van Waggoner on the representation made by John C. Blanchard of Ionia, which showed that his sentence was terribly severe, and on request of prison officials, on the ground of good conduct and failing health.

60. Wm. Ross. Convicted in the Circuit Court for the County of Mecosta, and sentenced February 12, 1883, to 12 years' imprisonment in the State Prison at Jackson. Pardoned December 17, 1884. A communication from the prosecuting attorney of Mecosta county satisfied me that Ross had been convicted under circumstances which would have prevented a verdict of more than manslaughter if the assaulted party had died. This should have made the verdict in his case but guilty of assault and battery. His pardon was recommended by the circuit judge, and the sheriff and prosecuting attorney of Mecosta county.

61. James Maloy. Convicted in the Circuit Court for the County of Kalamazoo of robbery, and sentenced December 23, 1882, to five years' imprisonment in the State House of Correction at Ionia. Sentence commuted Decem-

ber 17, 1884, so as to expire December 23, 1884. Maloy belonged to a most respectable family, and never formed one of the criminal class. This was his first offense. His pardon was recommended by a very large number of the best citizens of Kalamazoo county, and by the prison officers at Ionia.

62. Calvin Stough. Convicted in the Circuit Court for the County of Hilldale of arson, and sentenced November 28, 1881, to five years' imprisonment at the State House of Correction at Ionia. Pardoned December 17, 1884. Stough's health had failed and he was most of the time in hospital. He was pardoned that he might be taken out of the State by his brother and cared for till he died.

63. Thomas Taylor. Convicted in the Circuit Court for the County of Genesee of robbery, and sentenced June 1, 1878, to 10 years' imprisonment in the State Prison at Jackson. Pardoned December 17, 1884. Taylor was intoxicated at the time of the robbery, and was not the principal offender. Citizens of Flint acquainted with the facts asked for his pardon on the ground that the sentence was too severe, in which view of the case the judge and prosecuting attorney agreed.

64. James Fairbanks. Convicted in the Circuit Court for the County of Ingham of assault with intent to murder, and sentenced May 19, 1881, to 12 years' imprisonment in the State Prison at Jackson. Pardoned December 20, 1884. Fairbanks brooded long over the fact that he had but one hand, for which he held the assaulted party, a physician, responsible. He inflicted no injury, and his friends and neighbors unite in bearing testimony to his previous good character. His 3½ years' imprisonment seemed to me sufficient punishment for his offense.

65. Henry B. Farrington. Convicted in the Circuit Court of Iosco county of murder in the first degree, and sentenced October 8, 1875, to imprisonment for life, in the State Prison at Jackson. Pardoned December 20, 1884. Farrington was tried in a community thoroughly prejudiced against him, his conviction being a foregone conclusion from the beginning. From facts brought to my knowledge it would seem that the crime could not have been more than manslaughter—possibly it was justifiable homicide. Farrington was the older and very much the weaker man, and no ill-feeling had existed between the parties. Premeditation would hardly seem possible under the circumstances. Farrington had been in prison for over nine years, a sufficient time to punish him for any crime he probably committed.

66. Enos T. Merritt. Convicted in the Circuit Court for the County of Newaygo of murder in the first degree, and sentenced March 28, 1859, to imprisonment for life, in the State Prison at Jackson. Pardoned December 23, 1884. Merritt had spent over 25 years in prison, where his record had been unexceptionable. The prison authorities united in asking his release, and his friends gave bonds that he should not become a public charge.

67. Ellen C. Bemis. Convicted in the Circuit Court for the County of Ionia of murder in the first degree, and sentenced February 15, 1881, to imprisonment for life, in the State Prison at Jackson, afterwards commuted to Detroit House of Correction. Pardoned December 23, 1884. Mrs. Bemis was convicted on testimony which left in the public mind great doubts as to her guilt. The expert testimony as to the existence of poison was severely criticized. My own opinion from the facts submitted to me is that she is innocent. She can live but a few months, being afflicted with an incurable disease.



68. Eddie Casper. Convicted in the Circuit Court for the County of Ottawa of larceny, and sentenced August 4, 1884, to two years' imprisonment at the State House of Correction. Pardoned December 23, 1884. A large number of the citizens of Eaton Rapids, where Casper had formerly resided, bore testimony to his good character and asked for his pardon. After examining the case I was satisfied that the ends of justice would be best subserved by his pardon.

69. John Seaver. Convicted in Justice's Court in Muskegon county of being a drunkard, and sentenced October 24, 1884, to 90 days' imprisonment at the State House of Correction at Ionia. Pardoned December 24, 1884. Seaver, whose drinking habit was his only trouble, was pardoned at the request of Lieut. Gov. Crosby, and a large number of citizens of Grand Rapids, that he might see his mother on her deathbed, who was ignorant of his imprisonment.

70. Julia Cargin. Convicted in the Circuit Court for the County of Saginaw of murder in the first degree, and sentenced December 29, 1876, to life imprisonment in the State Prison at Jackson, afterwards changed to Detroit House of Correction. Commuted December 26, 1884, so her sentence shall expire December 23, 1885. The sentence of Mrs. Cargin was commuted on facts laid before me by Capt. Joseph Nicholson, Superintendent of the Detroit House of Correction, in regard to dying statements made by the principal witness for the prosecution.

71. George Davis. Convicted in the Circuit Court for the County of Genesee of rape, and sentenced November 25, 1882, to 20 years' imprisonment in the State Prison at Jackson. Sentence commuted December 26, 1884, to 10 years. Davis was but a boy when convicted. The general verdict of those familiar with the case, myself among the number, was that the sentence was very much too severe.

72. Henry Malliot. Convicted in the Circuit Court for the County of Manistee of rape, and sentenced February 14, 1879, to 15 years' imprisonment in the State Prison at Jackson. The complaining witness declared him innocent, and her family asked for his pardon.

73. Patrick J. Lillas. Convicted in the Circuit Court for the County of Berrien of rape, and sentenced June 24, 1881, to the State Prison at Jackson for 10 years. Pardoned December 20, 1884. Lillas had just arrived in Michigan at the time of the commission of the alleged offense. At his former residence, Ogdensburgh, N. Y., he had borne an unblemished reputation. Could this reputation have been shown on the trial there is no doubt it would have prevented a conviction, which, even under the circumstances, was hardly warranted by the facts.

74. George E. Bull. Convicted in the Circuit Court for Washtenaw county of assault with intent to murder, and sentenced April 4, 1883, to five years' imprisonment in the State Prison at Jackson. Pardoned December 30, 1884. Bull's assault was committed upon his wife while laboring under mental aberration, caused probably by too free use of intoxicating liquors. His wife was not injured in any way, and asked for his pardon, as did also very many of the best citizens of Wayne and Washtenaw counties.

75. Mark A. Barker. Convicted in the Circuit Court for Bay county of burglary, and sentenced June 23, 1883, to three years' imprisonment in the State Prison at Jackson. Pardoned December 29, 1884. Barker's pardon was asked for by Judge Green, before whom he was tried, and who does not now believe him to be guilty of the crime of which he was convicted.

In addition to the foregoing the sentences of Sarah J. Coalia, Karen Larson, Anna Vanderberg, and Elizabeth Vanderhoof, sentenced to the State Prison at Jackson, were changed, as required by statute, by commutation to the Detroit House of Correction, no female prisoners being received at the State Prison.

JOSIAH W. BEGOLE.

The message was laid on the table.

#### MOTIONS AND RESOLUTIONS.

Mr. Stephenson offered the following resolution:

*Resolved* (the House concurring), That the postmaster of the Senate and House be and hereby is instructed to cause the postoffice at the capitol to be opened at 12 o'clock, meridian, on Sundays, and kept open for one hour thereafter;

Which was adopted.

Mr. Austin offered the following resolution:

*Resolved*, That a committee be appointed by the President of the Senate, consisting of one member from each Congressional district, such committee to elect its chairman, to whom all matters concerning the apportionment of the State into Legislative districts shall be referred.

On motion of Mr. Austin,

The resolution was laid on the table.

#### INTRODUCTION OF BILLS.

Mr. Monroe, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 7, entitled

Joint resolution for the relief of Lorenzo Buck.

The joint resolution was read a first and second time by its title and referred to the committee on military affairs.

Mr. Monroe, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 8, entitled

Joint resolution for the relief of Albert Manypenny.

The joint resolution was read a first and second time by its title and referred to the committee on military affairs.

Mr. Cline, previous notice having been given and leave being granted, introduced

Senate bill No. 43, entitled

A bill to amend act 161 of the session laws of 1867, being an act entitled "An act for the protection of the rights of females," being section 7091 of Howell's Annotated Statutes of Michigan.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. S. W. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 44, entitled

A bill to amend section 7606 of Howell's Annotated Statutes, being compiler's section 6026 of the compiled laws of the State of Michigan, for the year 1871, relative to the trial of issues of fact.

The bill was read a first and second time by its title and referred to the committee on judiciary.

On motion of Mr. Manwaring,

The Senate adjourned.

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*Lansing, Tuesday, January 20, 1885.*

The Senate met and was called to order by the President at 10 o'clock A. M.

Prayer by the Rev. Mr. D. P. Breed, of Portland.

Roll called: a quorum present.

Absent without leave, Senators Henry and Hertzler.

Mr. Manwaring asked and obtained leave of absence for the absentees for the day.

#### PRESENTATION OF PETITIONS.

No. 16. By Mr. Hubbell: Resolutions of the board of supervisors of Keweenaw county in relation to certain amendments to the law for the assessment of taxes;

Referred to select committee on taxation.

No. 17. By Mr. Brown: Resolutions of school district No. 1, Climax township, Kalamazoo county, to abolish the present board of school examiners;

Referred to the committee on education and public schools.

#### REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor the following:

Senate bill No. 19, entitled

A bill to authorize the county of Saginaw to borrow the sum of \$100,000, and to issue its bonds therefor, for the purpose of paying certain bonds issued by said county under authority of act No. 4, of the session laws of 1865.

J. W. BELKNAP, *Chairman.*

Report accepted.

#### NOTICES.

Mr. Hubbell gave notice that on some future day he would ask leave to introduce

A bill to attach the county of Isle Royal to the county of Houghton for judicial purposes.

Mr. Davis gave notice that on some future day he would ask leave to introduce

A bill to amend section 91 of Howell's Annotated Statutes, relative to the time of the registration of voters.

Mr. S. W. Smith gave notice that on some future day he would ask leave to introduce

A bill to authorize the Oakland county agricultural society to issue bonds and to mortgage its real and personal estate to secure the same.

Mr. Carpenter gave notice that on some future day he would ask leave to introduce

A bill to repeal sections 18 and 19 of act No. 9 of the session laws of 1882, relative to the appointment of a board of review.

#### INTRODUCTION OF BILLS.

Mr. Greiner, previous notice having been given and leave being granted introduced

Senate bill No. 45, entitled

A bill amending section 9199 of Howell's Annotated Statutes, relative to breaking locks and chains attached to boats.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 46, entitled

A bill to amend section 13 of act No. 187 of the session laws of 1875, entitled "An act for the incorporation of manufacturing companies," approved May 1, 1875, being section 4139 of Howell's Annotated Statutes.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Francis, previous notice having been given and leave being granted, introduced

Senate bill No. 47, entitled

A bill to amend section 1414 of Howell's Annotated Statutes, being section 3 of chapter 11 of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within this State."

The bill was read a first and second time by its title and referred to the committee on roads and bridges.

#### GENERAL ORDER.

On motion of Mr. Manwaring,

The Senate went into committee of the whole on the general order,

Mr. Francis in the chair.

After some time spent therein the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following:

Bill No. 17 (file No. 1), entitled

A bill to amend section 1 of chapter 131 of Howell's Statutes of Michigan, being an act entitled "An act in relation to life insurance companies transacting business within this State," and to add one new section thereto, to stand as section No. 30,

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate and recommend its passage.

W. H. FRANCIS, *Chairman.*

Report accepted.

The bill was then placed on the order of third reading bills.  
On motion of Mr. Mauwaring,  
The Senate took a recess until 2 o'clock this afternoon.

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AFTERNOON SESSION.

2 o'clock P. M.

The Senate met, and was called to order by the President.  
Roll called: a quorum present.

ANNOUNCEMENTS.

The President made the following announcement:

In compliance with the resolution adopted by the Senate January 16, I appoint as select committee on institution for the care of idiots and imbeciles, Messrs. Brown, Carpenter, and Hertzler;

And for select committee on election laws, Messrs. Belknap, Francis, and Cline.

PETITIONS.

No. 18. By Mr. Francis: Resolutions of the board of supervisors of Kalkaska county, asking for a change in the time for the collecting of taxes.

Referred to the select committee on taxation.

No. 19. By Mr. Cline: Resolutions of the board of supervisors of St. Clair county relative to the amendment of the tax laws.

Referred to the select committee on taxation.

REPORTS OF STANDING COMMITTEES.

By the committee on railroads:

The committee on railroads, to whom was referred

Senate bill No. 20, entitled

A bill to amend section 29 of article 2 of act No. 198 of the session laws of 1873, relative to the incorporation and consolidation of railroads,

Respectfully report the same back to the Senate, with the recommendation that it be printed and recommitted to the committee.

CHAS. AUSTIN, *Chairman.*

Report accepted.

On motion of Mr. Austin,

The recommendation of the committee was concurred in, and the bill was ordered printed and recommitted to the committee.

By the committee on federal relations:

The committee on federal relations to whom was referred the following concurrent resolution:

WHEREAS, There is destitution among the laboring classes in our State, on account of their not being able to obtain employment; and

WHEREAS, A large per cent of all moneys expended in erecting public buildings is paid out directly to the day laborer; and

WHEREAS, There is a large surplus of money in the United States treasury, a part of which might be used in relieving the destitution now existing; therefore be it

*Resolved by the Senate of the State of Michigan* (the House concurring therein). That our Senators and Representatives in Congress be, and they are hereby requested to use their influence to secure an appropriation sufficient to erect suitable buildings for postoffices (and other government purposes) in all cities in the State that have a population of ten thousand or more (as shown by the State census of 1884) that have not already such buildings,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it be adopted, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Carveth,

The resolution was adopted.

By the committee on appropriations and finance:

The committee on appropriations and finance to whom was referred the subject of mileage for the members, officers, and employés of the Senate, respectfully report that they have had the same under consideration, and have directed me to report to the Senate the following supplementary schedule, recommending that the mileage be allowed as specified therein:

	Miles.
Mrs. Josephine Robinson, postmistress .....	276
George A. Smith, assistant postmaster .....	150
George C. Robinson, messenger to postmistress .....	276

G. A. SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. G. A. Smith,

The report was adopted.

#### MESSAGE FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 20, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following concurrent resolution:

*Resolved by the House* (the Senate concurring), That the amount of postage stamps furnished by the postmaster at Lansing to the State printer for the prepayment of postage on the daily journal, in compliance with concurrent resolution passed at this session, be paid by the State treasurer, on the warrant of the auditor general, to be drawn on presentation of bills for such postage as shall, from time to time accrue, duly certified by said postmaster, and by the foreman of the State bindery, showing that such postage stamps have been actually purchased and used for the purpose aforesaid;

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

On motion of Mr. Manwaring,

The Senate concurred in the adoption of the concurrent resolution.

## NOTICES.

Mr. S. W. Smith gave notice that at some future day he would ask leave to introduce

A bill prohibiting judges or justices sitting in cases where they are related to an attorney, counselor, or solicitor in the case.

Mr. Belknap gave notice that on some future day he would ask leave to introduce

A bill to amend section 1 of chapter 10 of act 164 of the public acts of 1881, approved May 21, 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," as amended by act No. 28 of the session laws of 1883, approved April 18, 1883.

Mr. Shoemaker gave notice that on some future day he would ask leave to introduce

A bill to amend section 18 of act No. 7 of the laws of 1871, being "An act to amend section 18 of 'An act to authorize the business of banking,'" approved February 16, 1857, and being also section 3152 of Howell's Annotated Statutes, relative to the semi-annual reports of directors of banks;

Also,

A bill to amend section 25 of chapter 202 of the compiled laws of 1871, being section 8055 of Howell's Annotated Statutes, relative to proceedings against garnishees.

## MOTIONS AND RESOLUTIONS.

Mr. Austin moved to take from the table the following concurrent resolution:

*Resolved* (The Senate concurring), That a joint committee of five from the House, and three from the Senate, be appointed by the respective presiding officers of the two houses, for the purpose of reërranging the Senate districts, and apportioning anew the Representatives among the counties and districts, as provided by article 4, section 4, of the Constitution;

Which motion prevailed.

The question being on the adoption of the concurrent resolution,

The same was not adopted.

Mr. Austin moved to take from the table the following resolution:

*Resolved*, That a committee be appointed by the President of the Senate, consisting of one member from each Congressional district, such committee to elect its chairman, to whom all matters concerning the apportionment of the State into Legislative districts shall be referred;

Which motion prevailed.

The question being on the adoption of the resolution,

The same was adopted.

## INTRODUCTION OF BILLS.

Mr. S. W. Smith, previous notice not having been given and leave being granted, introduced

Senate bill No. 48, entitled

A bill to authorize "The Oakland County Agricultural Society" to issue bonds and to mortgage its real and personal estate to secure the same.

The bill was read a first and second time by its title, and

On motion of Mr. S. W. Smith,

The rule requiring the second and third readings of bills to be on different days was suspended, and the bill was placed on its immediate passage.

The bill was then read a third time, and the question being upon its passage, pending the taking of the vote thereon,

On motion of Mr. Francis,

The bill was referred to the committee on the judiciary.

Mr. Carveth, previous notice having been given, and leave being granted, introduced

Senate bill No. 49, entitled

A bill authorizing and providing for the burial of the body of any honorably discharged ex-union soldier, sailor, or marine of this State, who shall hereafter die without leaving means sufficient to defray funeral expenses.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

### THIRD READING OF BILLS.

Senate bill No. 17 (file No. 1), entitled

A bill to amend section 1 of chapter 131 of Howell's Statutes of Michigan, being an act entitled "An act in relation to life insurance companies transacting business within this State, and to add one new section thereto, to stand as Sec. No. 30,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hubbell,	Mr. Pulver,
Belknap,	Davis,	Hueston,	Shoemaker,
Brown,	Edwards,	Kempf,	Smith, G. A.,
Carpenter,	Francis,	Manwaring,	Smith, S. W.
Carveth,	Greiner,	Monroe,	Spencer,
Cline,	Hawley,	Moon,	Stephenson,
Curtiss,	Heisterman,	Pennell,	Woodruff, 28

#### NAYS.

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The question being on agreeing to the title, Mr. Curtiss moved to amend the title so as to read as follows:

A bill to amend section one (1) of act No. 77 of the session laws of 1869, entitled "An act in relation to life insurance companies transacting business within this State," approved March 30, 1869, being compiler's section 2936 of the compiled laws of 1871, and section one (1) of chapter 131 of Howell's Annotated Statutes of Michigan, and to add to said act one new section, to stand as section thirty (30);

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Curtiss,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

On motion of Mr. Brown,

The Senate adjourned.



*Lansing, Wednesday, January 21, 1885.*

The Senate met and was called to order by the President at 10 o'clock A. M.  
Prayer by the Rev. W. H. Thompson.  
Roll called: quorum present.

REPORTS OF STANDING COMMITTEES.

By the committee on State prison:

The committee on State prison, to whom was referred

Senate bill No. 42, entitled

A bill to amend sections 4, 5, 6, 16, 40, 41, 44, 48, 49, 57, 59, 62, and 64 of an act entitled "An act to revise and consolidate the laws relative to the State prison and the government and discipline thereof, and to repeal all acts inconsistent therewith," approved May 3, 1875, as amended by act No. 200 of the session laws of 1877, approved May 23, 1877, or by act No. 284 of the session laws of 1881, approved June 11, 1881, being sections 9671, 9672, 9673, 9682, 9703, 9704, 9707, 9710, 9711, 9719, 9721, 9724, and 9726 of Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it be printed for the use of the committee.

S. F. BROWN, *Chairman.*

Report accepted.

The bill was ordered printed, and re-referred to the committee.

By the committee on judiciary:

The committee on judiciary to whom was referred

Senate bill No. 10, entitled

A bill to provide for the representation of different political parties on boards of election,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary to whom was referred

Senate bill No. 12, entitled

A bill to provide for the appeal and final disposition of certain civil cases brought into justices' courts in this State,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Manwaring,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 22, entitled

A bill to amend sections 1442, 1443, 1445, and 1446 of Howell's Annotated Statutes, being sections 1, 2, 4, and 5 of Act No. 244 of the session laws of 1879, entitled "An act for the recovery of damages sustained by reason of defective public highways, streets, bridges, cross-walks, and culverts," so as to make said act cover damages sustained by reason of defective sidewalks,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary to whom was referred

Senate bill No. 48, entitled

A bill to authorize "The Oakland County Agricultural Society" to issue bonds, and to mortgage its real and personal estate to secure the same,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. S. W. Smith,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hubbell,	Mr. Sherwood,
Belknap,	Edwards,	Hueston,	Shoemaker,
Brown,	Francis,	Kempf,	Smith, G. A.,
Carpenter,	Greiner,	Manwaring,	Smith, S. W.,
Carveth,	Hawley,	Monroe,	Spencer,
Cline,	Heisterman,	Moon,	Stephenson,
Curtiss,	Henry,	Pennell,	Woodruff,
Davenport,	Hertzler,	Pulver,	

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#### NAYS.

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Title agreed to.

On motion of Mr. S. W. Smith,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on agricultural interests:

The committee on agricultural interests to whom was referred

Senate bill No. 37, entitled

A bill to prevent the spread of contagious diseases among cattle,

Respectfully report that they have had the same under consideration, and directed me to report the same back to the Senate, and recommend that the same be printed and recommitted to the committee.

MANSON CARPENTER, *Chairman.*

Report accepted.

The bill was ordered printed, and re-referred to the committee.

By the committee on agricultural interests:

The committee on agricultural interests to whom was referred

Senate bill No. 38, entitled

A bill to prevent the spread of glanders and farcy,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that the same be printed and recommitted to the committee.

MANSON CARPENTER, *Chairman.*

Report accepted.

The bill was ordered printed, and re-referred to the committee.

By the committee on appropriations and finance:

The committee on appropriations and finance to whom was referred

Senate bill No. 39, entitled

A bill making appropriations for the Pioneer Society of the State of Michigan, for the years 1885 and 1886,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. A. SMITH, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committees on appropriations and finance and State prison, jointly:

The committees on appropriations and finance and State prison, to whom was referred

Senate bill No. 40, entitled

A bill appropriating moneys for repairs, improvements, and new buildings at the State prison at Jackson,

Respectfully report that they have had the same under consideration and have directed us to report the same back to the Senate, with a recommendation that it be printed and re-referred to the committees on appropriations and finance and State prison, jointly.

G. A. SMITH,

*Chairman on Appropriations and Finance.*

S. F. BROWN,

*Chairman on State Prison.*

Report accepted.

On motion of Mr. G. A. Smith,

The bill was ordered printed, and re-referred to the committees jointly.

#### NOTICES.

Mr. Edwards gave notice that on some future day he would ask leave to introduce

A bill to provide for the review of motions for new trials by the supreme court;

Also,

A bill to amend compiler's section 5727 of the compiled laws of 1871, being section 6 of chapter 257 of Howell's Annotated Statutes of Michigan, so as to specify the times for the issue and return of original writs in personal actions in courts of record, and provide for common return days for said writs.

Mr. Oline gave notice that on some future day he would ask leave to introduce

A bill to amend sections 1 and 2 of chapter 10 of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement, and maintenance of highways and private roads, and the building, repairing, and preservation of bridges in this State," being sections 1408 and 1409 of Howell's Annotated Statutes of Michigan;

Also,

A bill to provide for the punishment of aggravated assaults with sand bags, metallic knuckles, or other dangerous or deadly weapons.

Mr. Monroe gave notice that on some future day he would ask leave to introduce

A bill to make an appropriation for the support of the State Agricultural College, for the erection and repair of buildings, and other improvements at the said College.

#### MOTIONS AND RESOLUTIONS.

Mr. Hubbell offered the following concurrent resolution :

*Resolved* (the House concurring), That Senators and Representatives introducing bills amending the laws of the State, are hereby instructed to embrace such proposed amendments in brackets, and designate the omission of words by asterisks;

Which was adopted.

#### INTRODUCTION OF BILLS.

Mr. Davis, previous notice having been given and leave being granted, introduced

Senate bill No. 50, entitled

A bill to remove all the dead bodies from the cemetery in the village of Vassar, Tuscola county.

The bill was read a first and second time by its title and referred to the committee on public health.

On motion of Mr. Shoemaker,

The Senate took a recess until 3 o'clock this afternoon.

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#### AFTERNOON SESSION.

3 o'clock P. M.

The Senate met and was called to order by the President.

Roll called : a quorum present.

## ANNOUNCEMENTS.

The President announced the following:

In compliance with the concurrent resolution passed by both houses of the Legislature, I appoint Messrs. Hubbell, G. A. Smith, and Pulver as members of the select committee to whom all bills relating to amendments to the tax laws be referred.

## PETITIONS.

No. 20. By Mr. Henry: Resolutions of the board of supervisors of Gladwin county relative to the tax law;

Referred to the select committee on taxation.

No. 21. By Mr. Edwards: Resolutions of the board of supervisors of Lake county relative to assessment and collection of taxes;

Referred to the select committee on taxation.

No. 22. By G. A. Smith: Resolutions of the board of supervisors of Branch county relative to assessment and collection of taxes;

Referred to the select committee on taxation.

No. 23. By Mr. Sherwood: Resolutions of the board of supervisors of Berrien county relative to taxation;

Referred to the select committee on taxation.

No. 24. By Mr. Sherwood: Resolutions of the board of supervisors of Berrien county, relative to the liquor traffic;

Referred to the committee on the liquor traffic.

## REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges to whom was referred

Senate bill No. 15, entitled

A bill to amend sections 1 and 3 of chapter 5 of an act entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within this State," being act No. 283, public acts of 1881, approved June, 1881,

Respectfully report that they have the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

MICHAEL GREINER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges to whom was referred

Senate bill No. 47, entitled

A bill to amend section 1414 of Howell's Annotated Statutes, being section 3 of chapter 11 of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within this State;"

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment

and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

MICHAEL GREINER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committees on horticulture and appropriations and finance jointly.

The committees on horticulture and appropriations and finance jointly, to whom was referred :

Joint resolution No. 6, entitled

Joint resolution to provide for the exhibition of the horticultural and pomological productions of this State, at the exhibition of the American Pomological Society, to be held at Grand Rapids, Michigan, in September, 1885,

Respectfully report that they have had the same under consideration and have directed us to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HARVEY C. SHERWOOD,

*Chairman of Committee on Horticulture.*

G. A. SMITH,

*Chairman of Committee on Appropriations and Finance.*

Report accepted and committees discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages :

The committee on cities and villages to whom was referred

Senate bill No. 11, entitled

A bill to incorporate the village of Manistique,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that it be printed and re-referred to the committee.

WM. H. FRANCOIS, *Chairman.*

Report accepted.

On motion of Mr. Francis,

The bill was ordered printed, and re-referred to the committee.

By the committee on judiciary :

The committee on judiciary, to whom was referred

Senate bill No. 1, entitled

A bill to amend section 1897 of the compiled laws of 1871, being section 6393 of Howell's Statutes, relative to salaries of justices of supreme court,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and without recommendation as to its passage, but that it be ordered printed, referred to the committee of the whole, and placed on the general order, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman,*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary :

The committee on judiciary, to whom was referred

Senate bill No. 28, entitled

A bill to amend sections 70 and 71 of chapter 19 of Howell's Annotated Statutes, being compiler's sections 744 and 745, relative to township boards,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,  
Lansing, January 21, 1885. }

*To the Senate :*

I have this day approved, signed, and deposited in the office of the Secretary of State,

An act to authorize the county of Saginaw to borrow the sum of one hundred thousand dollars, and to issue its bonds therefor for the purpose of paying certain bonds heretofore issued by said county, under authority of act No. 4 of the session laws of 1865.

RUSSELL A. ALGER,  
*Governor.*

The message was laid on the table.

MESSAGES FROM THE HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 21, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following concurrent resolution :

*Resolved* (the House concurring), That Senators and Representatives introducing bills amending the laws of the State are hereby instructed to embrace such proposed amendments in brackets and designate the omission of words by asterisks ;

In the passage of which the House has concurred.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The message was laid on the table.

NOTICES.

Mr. Stephenson gave notice that on some future day he would ask leave to introduce

A bill to prohibit the use of the words "Warranty Deed," or similar words, on any deeds except warranty deeds ;

Also,

A bill to amend section fourteen, of chapter two, of an act entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement, and maintenance of highways and private roads, and the build-

ing, repairing, and preservation of bridges within this State," approved June 8, 1881, being section thirteen hundred and thirty-eight of Howell's Statutes.

Mr. Hubbell gave notice that on some future day he would ask leave to introduce

A bill to amend section five thousand and seventy-six, of the compiled laws of 1871, being section six thousand six hundred and thirty, of Howell's Annotated Statutes, relative to the service of subpoena in courts of chancery.

Mr. Henry gave notice that on some future day he would ask leave to introduce

A bill to provide for the finding and return of verdicts by a less number than twelve jurors, in the trial of civil cases, in courts of record in this State;

Also,

A bill to provide for the finding and return of verdicts by a less number than six jurors in trial of cases in justices' courts in this State.

Mr. G. A. Smith gave notice that on some future day he would ask leave to introduce

A bill to amend the title and sections 1, 2, 3, 5 and 6 of act No. 171 of the session laws of 1873, approved April 29, 1873, as amended by act No. 37 of the session laws of 1875, approved March 14, 1875, being title to chapter 346, sections 9894, 9895, 9896, 9898 and 9899 of Howell's Annotated Statutes, relative to the State agency for juvenile delinquents and offenders.

#### MOTIONS AND RESOLUTIONS.

Mr. Henry offered the following resolution:

*Resolved*, That a committee of three be appointed by the President to determine and report which committee clerks shall perform the clerical work of those committees not having clerks assigned them;

Which was adopted.

Mr. Monroe offered the following resolution:

*Resolved*, That the Senate shall convene in daily session at 2 P. M., until otherwise ordered;

Which was adopted.

#### INTRODUCTION OF BILLS.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 51, entitled

A bill to amend section 18, of chapter 72, of the compiled laws of 1871, being section 3152 of Howell's Annotated Statutes, relative to the business of banking.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 52, entitled

A bill to amend section 25 of chapter 202 of the compiled laws of 1871, being section 8055 of Howell's Annotated Statutes, relative to proceedings against garnishees.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.



Mr. S. W. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 53, entitled

A bill prohibiting judges or justices sitting in cases where they are related to an attorney, counselor, or solicitor in the case.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Hubbell, previous notice having been given and leave being granted, introduced

Senate bill No. 54, entitled

A bill to attach the county of Isle Royal to the county of Houghton for judicial purposes.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

#### GENERAL ORDER.

On motion of Mr. Hertzler,

The Senate went into committee of the whole on the general order,

Mr. Spencer in the chair.

After some time spent therein, the committee rose, and, through their chairman made the following report:

The committee of the whole have had under consideration the following:

Senate joint resolution No. 1, entitled

Joint resolution to hasten the civilization of Indians.

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend its passage.

HORACE C. SPENCER, *Chairman*.

Report accepted.

The joint resolution was placed on the order of third reading of bills.

On motion of Mr. Greiner,

The Senate adjourned.

The President announced that under the provisions of the resolution adopted this P. M. the Senate would stand adjourned until to-morrow at 2 o'clock P. M.



*Lansing, Thursday, January 22, 1885.*

The Senate met, and was called to order by the President at 2 o'clock P. M.

Prayer by the Rev. Mr. Valentine.

Roll called: a quorum present.

#### ANNOUNCEMENT.

The President made the following announcement:

In compliance with the resolution adopted by the Senate yesterday, I appoint Messrs. Heury, Shoemaker, and Austin as committee to determine and report

which committee clerks shall perform the clerical work of those committees not having clerks assigned them.

#### PETITIONS.

No. 25. By Mr. Shoemaker: Memorial of G. M. Devlin of Jackson relative to the recognition by the State of independent military companies;

Referred to committee on military affairs.

No. 26. By Mr. Hertzler: Resolutions of commissioners of highways of Monroe county relative to the highway law;

Referred to committee on roads and bridges.

No. 27. By Mr. Francis: Petition of T. B. Collins and 19 others asking for the equalization of State bounties to soldiers of the late war;

Referred to the committee on State affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committee on appropriations and finance:

The committee on appropriations and finance to whom was referred the subject of mileage for the members, officer, and employes of the Senate,

Respectfully report that they have had the same under consideration, and have directed me to report to the Senate the following supplementary schedule, recommending that the mileage be allowed as specified therein:

In ascertaining the mileage of Senator Hubbell, your committee was informed by the Senator that he was entitled to the same mileage that Senator Chandler was paid at the session of 1881, and reported accordingly. Since then the Senator has ascertained that said mileage was computed by way of Chicago, but that it should now be computed by way of Mackinac, and at his request this supplementary report is submitted changing said mileage from 1,616 miles to 1,475 miles, the distance by the Mackinac route.

G. A. SMITH, *Chairman.*

Report accepted.

On motion of G. A. Smith,

The report was adopted.

By the committee on judiciary.

The committee on judiciary to whom was referred,

Memorial No. 14; petition No. 5, and resolutions Nos. 4, 9, and 10, all relating to the subject of taxation,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without action, and recommend that they be referred to the special joint committee on taxation, and ask to be discharged from further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The memorials, petitions, and resolutions named were referred to the joint committee on taxation.

By the committee on judiciary.

The committee on judiciary, to whom was referred

Senate joint resolution No. 2, entitled

A joint resolution to amend the constitution so as to abolish the board of auditors of Wayne county,

Respectfully report that they have had the same under consideration and

have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 30, entitled

A bill to amend section 75 of chapter 10 of the compiled laws of 1871, being section 585 of Howell's Annotated Statutes, relative to county officers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brown,

The bill was laid on the table.

By the committee on judiciary:

The committee on the judiciary, to whom was referred

Senate bill No. 31, entitled

A bill to amend section 8 and to repeal sections 10 and 11 of chapter 50 of the compiled laws of 1871, being sections 1762, 1764, and 1765 of Howell's Annotated Statutes, relative to the support of the poor by the public,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hertzler,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary to whom was referred

Senate bill No. 35, entitled

A bill to amend section 8, chapter 10, of an act entitled "An act for the incorporation of cities," approved April 29, 1873, being section 2544 of Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

On motion of Mr. Hubbell,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 14, entitled

A bill to amend section 7606 of Howell's Annotated Statutes, being com-

piler's section 6026 of the compiled laws of 1871, relative to the trial of issues of fact,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be printed together with the bill, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the recommendation of the committee.

The bill was then ordered printed, together with the amendments, and referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary to whom was referred

Senate bill No. 45, entitled

A bill amending section 9199 of Howell's Annotated Statutes, relative to breaking locks and chains attached to boats,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be printed together with the bill, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the recommendation of the committee.

The bill was then ordered printed, together with the amendments, and referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 52, entitled

A bill to amend section 25 of chapter 202 of the compiled laws of 1871, being section 8055 of Howell's Annotated Statutes, relative to proceedings against garnishees,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be printed together with the bill, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the recommendation of the committee.

The bill was then ordered printed, together with the amendments, and referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 54, entitled

A bill to attach the county of Isle Royal to the county of Houghton for judicial purposes,

Respectfully report that they have had the same under consideration and

have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELI, Chairman.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public health :

The committee on public health to whom was referred

Senate bill No. 50, entitled

A bill to remove all the dead bodies from the cemetery in the village of Vassar, Tuscola county,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES HUESTON, Chairman.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE HOUSE.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 21, 1885. }

*To the President of the Senate :*

SIR—I am instructed by the House to return to the Senate the following concurrent resolution :

WHEREAS, There is destitution among the laboring classes in our State, on account of their not being able to obtain employment; and

WHEREAS, A large per cent of all moneys expended in erecting public buildings is paid out directly to the day laborer; and

WHEREAS, There is a large surplus of money in the United States treasury, a part of which might be used in relieving the destitution now existing; therefore be it

*Resolved by the Senate of the State of Michigan* (the House concurring therein), That our Senators and Representatives in Congress be, and they are hereby requested to use their influence to secure an appropriation sufficient to erect suitable buildings for postoffices (and other government purposes) in all cities in the State that have a population of ten thousand or more (as shown by the State census of 1884) that have not already such buildings,

And to inform the Senate that the House has amended the same by adding to the end thereof the following :

“And further to use their best endeavors to secure a reduction of the burdens of taxation that bear so heavily on the people.”

In the passage of which, as thus amended, the House has concurred.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

On motion of Mr. Hubbell,

The Senate concurred in the adoption of the amendment to the concurrent resolution.

The concurrent resolution was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 22, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 48, entitled

A bill to authorize "The Oakland County Agricultural Society" to issue bonds and to mortgage its real and personal estate to secure the same;

In the passage of which the House has concurred by a majority vote of all the members elect; and by a vote of two-thirds of all the members elect has ordered the same to take immediate effect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 22, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 5, entitled

A bill to confer power and authority upon the Common Council of the village of Houghton to purchase and acquire property, and to erect all proper and necessary structures in connection therewith, without as well as within the corporate limits of said village, and to hold and maintain the same for the sole purpose of supplying said village and the inhabitants thereof with water.

In the passage of which, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 22, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 20, entitled

A bill to amend and repeal certain sections of the charter of the city of Negaunee, Marquette county;

2. House bill No. 26, entitled

A bill to authorize the township of Thomastown, in the county of Saginaw, to contract with the State Road Bridge Company for the right for the taxpayers of said township to cross said company's bridge, free of toll, during the

unexpired term of said company's charter, and to raise the necessary money to pay for the use of said bridge;

Which have passed the House by a majority of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The second named bill was read a first and second time by its title, and pending its reference,

On motion of Mr. Davenport,

The rule requiring the second and third readings of bills to be on different days was suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hubbell,	Mr. Sherwood,	
Belknap,	Edwards,	Hueston,	Shoemaker,	
Brown,	Francis,	Kempf,	Smith, G. A.,	
Carpenter,	Greiner,	Manwaring,	Smith, S. W.,	
Carveth,	Hawley,	Monroe,	Spencer,	
Cline,	Heisterman,	Moon,	Stephenson,	
Curtiss,	Henry,	Pennell,	Woodruff,	
Davenport,	Hertzler,	Pulver,		31

#### NAYS.

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Title agreed to.

On motion of Mr Davenport,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. G. A. Smith asked and obtained leave of absence for to-morrow for the committees on State House of Correction and Public Health for the purpose of visiting the Ionia House of Correction.

#### NOTICES.

Mr. Henry gave notice that at some future day he would ask leave to introduce

A bill to repeal sections 6474 and 6475 of Howell's Annotated Statutes of this State, being continuous sections 4953 and 4954 of the compiled laws of 1871, relative to the payment of entry and jury fees in circuit courts;

Also,

A bill to repeal act number 193 of the public acts of 1883, being continuous sections 8749a, 8749b, 8749c, 8749d, 8749e, 8749f, 8749g, 8749h, 8749i, 8749j, 8749k, and 8749l, being an act to prevent debtors from giving preference to creditors, and to secure the equal distribution of the property of debtors among their creditors, and for the release of debts against debtors.

Mr. Hawley gave notice that on some future day he would ask leave to introduce

A bill to provide for the safety of life and property in the city of Detroit.

Mr. Carveth gave notice that on some future day he would ask leave to introduce

A bill to amend section 19 of chapter 3 of act No. 164 of the session laws of 1881, being section No. 5071 of Howell's Annotated Statutes, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools; and to repeal all statutes and acts contravening the provisions of this act relative to tuitions by non-residents.

Mr. Greiner gave notice that on some future day he would ask leave to introduce

A bill to amend section 14 of chapter 2, of act No. 164, of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being section 5046 of Howell's Annotated Statutes of Michigan.

Mr. Spencer gave notice that on some future day he would ask leave to introduce

A bill making an appropriation for the support of the Reform School for the year 1885 and 1886, and for the erection of buildings and furnishing the same;

Also.

A bill to amend sections 5, 8, and 33 of act No. 372 of session laws of 1867, entitled "An act to revise the charter of the city of Flint," approved March 20, 1867 and the acts amendatory thereof.

Mr. G. A. Smith gave notice that on some future day he would ask leave to introduce

A bill to amend sections 16 and 18 of chapter 266 of the compiled laws of 1871, being sections 9649 and 9651 of Howell's Annotated Statutes, relative to county jails.

Mr. Austin gave notice that on some future day he would ask leave to introduce

A bill making an appropriation for an addition to the State Normal School and for rebuilding walks;

Also,

A bill making appropriation for the current expenses of the State Normal School for the years 1885 and 1886.

#### MOTIONS AND RESOLUTIONS.

Mr. Henry offered the following resolution:

*Resolved by the Senate* (the House concurring), That hereafter all bills introduced—the object of which is to amend, repeal, or in any way effect, modify, or add to any statute or statutes now in force in this State, shall refer therein to the compiler's section or sections in Howell's Annotated Statutes effected thereby.

Mr. Hubbell moved that the further consideration of the resolution be postponed for one day.

On motion of Mr. Henry,

The resolution was referred to the committee on the judiciary.

Mr. Davenport offered the following resolution:

*Resolved* (the House concurring), That the committees whose duty it is to visit the different State institutions be and they are hereby granted leave of absence for the purpose of visiting the same instead of an adjournment as is



usual in such cases: *Provided*, That not more than one committee from each House shall be absent at any one time.

On motion of Mr. Davenport,

The further consideration of the resolution was postponed for one day.

#### INTRODUCTION OF BILLS.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 55, entitled

A bill to prohibit the use of the words "Warranty Deed," or similar words, on any deeds except warranty deeds.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 56, entitled

A bill to amend section fourteen, of chapter two, of an act entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement, and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within this State," approved June 8, 1881, being section thirteen hundred and thirty-eight of Howell's Statutes.

The bill was read a first and second time by its title and referred to the committee on roads and bridges.

Mr. Mouroe, previous notice having been given and leave being granted, introduced

Senate bill No. 57, entitled

A bill to make an appropriation for the support of the State Agricultural College, for the erection and repair of buildings, and other improvements at the said College.

The bill was read a first and second time by its title, and referred to the committees on appropriations and finance and agricultural college, jointly.

Mr. Cline, previous notice having been given and leave being granted, introduced

Senate bill No. 58, entitled

A bill to provide for the punishment of aggravated assaults with dangerous or deadly weapons.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Edwards, previous notice having been given and leave being granted, introduced

Senate bill No. 59, entitled

A bill to provide for the review of motions for new trials by the Supreme Court.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Edwards, previous notice having been given, and leave being granted, introduced

Senate bill No. 60, entitled

A bill to amend compiler's section 5727 of the compiled laws of 1871, being section 6 of chapter 257 of Howell's Annotated Statutes of Michigan, so as to specify the times for the issue and return of original writs in personal

actions in courts of record, and provide for common return days for said writs.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 61, entitled

A bill to provide for the finding and return of verdicts by a less number than twelve jurors, in the trial of civil cases, in courts of record in this State.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 62, entitled

A bill to provide for the finding and return of verdicts by a less number than six jurors in trial of cases in justices' courts in this State.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hawley, previous notice having been given, and leave being granted, introduced

Senate bill No. 63, entitled

A bill to prevent any board, commission, common council, or public corporation from hiring any person holding office under the laws of this State to draw a bill to be presented to the Legislature.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Carpenter, previous notice having been given and leave being granted, introduced

Senate bill No. 64, entitled

A bill to repeal sections 18 and 19 of act No. 9 of the sessions laws of 1882, relative to the appointment of a board of review.

The bill was read a first and second time by its title and referred to the select committee on taxation.

Mr. G. A. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 65, entitled

A bill to amend the title and sections 1, 2, 3, 5, and 6 of act No. 171 of the session laws of 1873, approved April 29, 1873, as amended by act No. 37 of the session laws of 1875, approved March 14, 1875, being title to chapter 346, sections 9894, 9895, 9896, 9898, and 9899 of Howell's Annotated Statutes, relative to the State agency for juvenile delinquents and offenders.

The bill was read a first and second time by its title and referred to the committee on State affairs.

Mr. Hubbell, previous notice having been given, and leave being granted, introduced

Senate bill No. 66, entitled

A bill to amend section 5076 of the compiled laws of 1871, being section 6630 of Howell's Annotated Statutes, relative to the service of subpoena in courts of chancery.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

By unanimous consent the Senate returned to the order of

#### MOTIONS AND RESOLUTIONS.

Mr. Pulver offered the following resolution :

**WHEREAS**, The question has been raised as to whether a reference to Howell's Annotated Statutes only in a bill to amend the laws of this State is sufficient or not; therefore

**Resolved**, That the Attorney General be requested to furnish the Senate with his opinion thereon, and if he finds such reference insufficient, that he also give his opinion as to what action is necessary to make such reference sufficient;

Which was adopted.

#### THIRD READING OF BILLS.

Senate joint resolution No. 1 (file No. 1), entitled  
Joint resolution to hasten the civilization of Indians,

Was read a third time and passed, a majority of all the Senators elect voting therefor by yeas and nays as follows :

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hubbell,	Mr. Sherwood,
Belknap,	Edwards,	Hueston,	Shoemaker,
Brown,	Francis,	Kempf,	Smith, G. A.,
Carpenter,	Greiner,	Manwaring,	Smith, S. W.,
Carveth,	Hawley,	Monroe,	Spencer,
Cline,	Heisterman,	Moon,	Stephenson,
Curtiss,	Henry,	Pennell,	Woodruff,
Davenport,	Hertzler,		

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#### NAYS.

Mr. Pulver,

1

Title agreed to.

On motion of Mr. Shoemaker,

The Senate went into executive session, the time being 3:05 P. M.

The executive session closed, the time being 3:37 P. M.

Mr. Hubbell moved that when the Senate adjourn to-day it stand adjourned until to-morrow at 9 o'clock A. M. ;

Which motion prevailed.

Mr. Shoemaker asked and obtained leave of absence for himself until Thursday, January 29.

Mr. Manwaring asked and obtained leave of absence for himself until Tuesday, January 27.

On motion of Mr. S. W. Smith,

The Senate adjourned.

The President announced that the Senate would stand adjourned until to-morrow at 9 o'clock A. M.

*Lansing, Friday, January 23, 1885.*

The Senate met and was called to order by the President at 9 o'clock A. M.  
Roll called: quorum present.

Absent without leave: Senators Curtiss, Hawley, and Stephenson.

On motion of Mr. Hubbell,

Leave of absence was granted to Mr. Stephenson until Wednesday, January 28.

On motion of Mr. Belknap,

Leave of absence was granted to Mr. Curtiss for the day.

On motion of Mr. Kempf,

Leave of absence was granted to Mr. Hawley for the day.

On motion of Mr. Kempf,

Leave of absence was granted to the committee on the Northern Asylum of the Insane indefinitely to visit said institution.

#### PETITIONS.

No. 28. By Mr. Phelps: Petition of Christopher Mayhew, James Shear, David Delaney, and 41 others of Stephens Post, for the passage of a bill granting a bounty to soldiers of late war;

Referred to committee on military affairs.

No. 29. By Mr. S. W. Smith: Petition of Loren H. Ripley and 66 others on the same subject.

Referred to committee on military affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor the following:

Senate manuscript bill No. 5, entitled

A bill to confer power and authority upon the common council of the village of Houghton to purchase and acquire property, and to erect all proper and necessary structures in connection therewith, without as well as within the corporate limits of said village, and to hold and to maintain the same for the sole purpose of supplying said village and the inhabitants thereof with water:

J. W. BELKNAP, *Chairman.*

Report accepted.

#### INTRODUCTION OF BILLS.

Mr. Edwards, previous notice not having been given and leave being granted, introduced

Senate bill No. 67, entitled

A bill to provide for ready reference to the general laws of this State in legislating thereon, and to declare the effect of such reference.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Carveth, previous notice having been given, and leave being granted, introduced

Senate bill No. 68, entitled

A bill to amend section 19 of chapter 3 of act No. 164 of the session laws of 1881, being section No. 5071 of Howell's Annotated Statutes, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of the act relative to tuitions by non-residents.

The bill was read a first and second time by its title and referred to the committee on education and public schools.

Mr. Carveth, previous notice not having been given and leave being granted, introduced

Senate bill No. 69, entitled

A bill to amend section 4 of act No. 347 of the session laws of 1873, entitled "An act to incorporate the board of education of the city of Hastings," approved April 2, 1873.

The bill was read a first and second time by its title and referred to the committee on education and public schools.

Mr. Belknap, previous notice having been given and leave being granted, introduced

Senate bill No. 70, entitled

A bill to amend section 1 of chapter 10 of act 164 of the public acts of 1881, approved May 21, 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," as amended by act No. 28 of the session laws of 1883, approved April 18, 1883.

The bill was read a first and second time by its title and referred to the committee on education and public schools.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 71, entitled

A bill to repeal sections 6474 and 6475 of Howell's Annotated Statutes of this State, being continuous sections 4953 and 4954 of the compiled laws of 1871, relative to the payment of entry and jury fees in circuit courts.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 72, entitled

A bill to repeal act number 193 of the public acts of 1883, being continuous sections 8749a, 8749b, 8749c, 8749d, 8749e, 8749f, 8749g, 8749h, 8749i, 8749j, 8749k, and 8749l, being an act to prevent debtors from giving preference to creditors, and to secure the equal distribution of the property of debtors among their creditors, and for the release of debts against debtors.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

#### MOTIONS AND RESOLUTIONS.

Mr. Pulver moved that the Secretary be instructed to send a respectful message to the House asking for the return to the Senate of

Senate joint resolution No. 1 (file No. 1), entitled

Joint resolution to hasten the civilization of Indians;

Which motion did not prevail.

Mr. S. W. Smith offered the following resolution :

*Resolved*, That the Secretary of the Senate be and is hereby instructed to contract with competent parties for the publication of the following number of each of the messages of Governors Alger and Begole in pamphlet form, to-wit: 1,500 copies in the English language, 1,000 in German, 250 in the French language, 250 in the Polish language, 500 in Danish, 500 in Scandinavian, and 500 in Holland; including in the English pamphlet the message of Gov. Begole relative to pardons and the report of the Railroad Commissioner relative to the purchase of the Michigan Central Railroad.

Which was adopted.

#### UNFINISHED BUSINESS.

Being the consideration of the following concurrent resolution :

*Resolved* (the House concurring), That the committees whose duty it is to visit the different State institutions be and they are hereby granted leave of absence for the purpose of visiting the same instead of an adjournment as is usual in such cases: *Provided*, That not more than one committee from each House shall be absent at any one time.

On motion of Mr. Hubbell,

The further consideration of the resolution was postponed for one day.

On motion of Mr. Hubbell,

The Senate adjourned until Monday at 8 o'clock P. M.

*Lansing, Monday, January 26, 1885.*

Senate met and was called to order by the President *pro tem* at 8 o'clock P. M.

Roll called : a quorum present.

Absent without leave: Senators Brown, Carveth, Cline, Curtiss, Davenport, Davis, Edwards, Hueston, Monroe, and Moon.

Mr. Hawley asked and obtained leave of absence for all absentees for this evening's session.

#### MESSAGES FROM THE GOVERNOR.

EXECUTIVE OFFICE,  
*Lansing, January 23, 1885.* }

*To the Senate :*

I have this day approved, signed, and deposited in the office of the Secretary of State,

An Act to authorize the Oakland County Agricultural Society to issue bonds and to mortgage its real and personal estate to secure the same.

RUSSELL A. ALGER, *Governor.*

The message was laid on the table.

EXECUTIVE OFFICE,  
*Lansing, January 23, 1885.* }

*To the Senate :*

I have this day approved, signed, and deposited in the office of the Secretary of State,

An act to confer power and authority upon the common council of the village of Houghton to purchase and acquire property, and to erect all proper and necessary structures in connection therewith, without as well as within the corporate limits of said village, and to hold and maintain the same for the sole purpose of supplying said village and the inhabitants thereof with water.

R. A. ALGER,  
*Governor.*

The message was laid on the table.

MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES,  
*Lansing, Jan. 23, 1885.*

*To the President of the Senate:*

SIR—I am intructed by the House to transmit the following bill:

House bill No. 25, entitled

A bill to legalize the assessment-roll of the township of Watertown, in the county of Clinton, for the year 1879;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
*Lansing, January 23, 1885.*

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 17, entitled

A bill to amend section 1 of act No. 77 of the session laws of 1869, entitled "An act in relation to life insurance companies transacting business within this State," approved March 30, 1869, being compiler's section 2936 of the compiled laws of 1871, and section 1 of chapter 131 of Howell's Annotated Statutes of Michigan and to add to said act one new section, to stand as section 30;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, Jan. 22, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following concurrent resolution:

WHEREAS, The senate of the United States did pass a resolution of the date of April 22, A. D. 1884, instructing the Honorable Secretary of War to cause an inquiry to be made as to the cost of construction of the Lake Superior Ship Canal and the Portage Lake Improvement Canal; and also to inquire upon what terms said canals might be purchased by the United States, and make free water ways to the commerce of the great lakes;

AND WHEREAS, The Honorable Secretary of War did designate Col. O. M. Poe, of the United States Army, to make such examination and report, in conformity to said resolution;

AND WHEREAS, The Honorable Secretary of War did report on or about January 5, A. D. 1885, that Col. Poe had made such examination, and on whose report did recommend that Congress take steps to purchase the same, and make them free water ways to the commerce of the lakes;

AND WHEREAS, The tolls collected by these canals are a serious burden to a numerous people and a very large industry embraced inside the limits of the territory supplied by these canals;

AND WHEREAS, These water ways should be made free channels to the great traffic that is now springing up with Minnesota, Iowa, and the country along the Northern Pacific R. R., that passes through Lake Superior, finding an outlet to the east and sea-board.

AND WHEREAS, The dangers of the navigation of Lake Superior may be greatly lessened by the improvement of this water way, and make a safe shelter at a point where the dangers of this lake are the greatest, and most serious disasters have occurred; therefore

*Be it resolved, by the Senate of the State of Michigan* (the House concurring therein), That our Senators and Representatives in Congress be, and they are hereby requested to use their best endeavors to secure such legislation by Congress as will result in the United States acquiring the title to and the ownership of the ship canals connecting the waters of Keweenaw bay, by way of Portage lake, with the waters of Lake Superior, in the upper peninsula of Michigan, in accordance with the report of the honorable Secretary of War presented to the United States Senate about Jan. 5, A. D. 1885, in reply to its resolution of April 22, A. D. 1884, and making them free for the navigation and commerce of the great lakes;

And to inform the Senate that the House has adopted a substitute therefor, which substitute is as follows:

*Be it resolved by the Senate of the State of Michigan* (the House concurring), That our Senators and Representatives in Congress be and they are hereby requested to use their best endeavors to secure such legislation by Congress as will result in the United States acquiring, upon fair and reasonable terms, title to and ownership of the ship canals connecting the waters of Keweenaw Bay by way of Portage Lake with the waters of Lake Superior in the upper peninsula of Michigan and making them free to the navigation and commerce of the great lakes: *Provided*, That such legislation shall in no way affect the legal status of the land grants heretofore made in aid of either of the corporations constructing such canals, and that the cost of acquiring such title shall not be in excess of the actual value of such canals to com-



merce in their present condition, nor exceed the amount for which the Portage Lake and River improvement Company's canal may be purchased by the county of Houghton under the statute of this State.

In the passage of which, as thus substituted, the House has concurred.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

On motion of Mr. Hubbell,

The further consideration of the concurrent resolution was postponed for one day.

#### NOTICES.

Mr. Hawley gave notice that on some future day he would ask leave to introduce

A bill to require all State officers, State institutions, boards, and commissioners, to publish in their reports a list of their officers and employes, and their wages, salaries, and perquisites;

Also,

A bill to establish a homœopathic medical college in Michigan.

#### INTRODUCTION OF BILLS.

Mr. Greiner, previous notice having been given and leave being granted, introduced

Senate bill No. 73, entitled

A bill to amend section 14 of chapter 2, of act No. 164, of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being section 5046 of Howell's Annotated Statutes of Michigan.

The bill was read a first and second time by its title, and referred to the committee on education and public schools.

Mr. G. A. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 74, entitled

A bill to amend sections 16 and 18 of chapter 266 of the compiled laws of 1871, being sections 9649 and 9651 of Howell's Annotated Statutes, relative to county jails.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

#### UNFINISHED BUSINESS.

Being the consideration of the following concurrent resolution:

*Resolved* (the House concurring), That the committees whose duty it is to visit the different State institutions be and they are hereby granted leave of absence for the purpose of visiting the same instead of an adjournment as is usual in such cases: *Provided*, That not more than one committee from each House shall be absent at any one time.

On motion of Mr. Hawley,

The resolution was laid on the table.

On motion of Mr. Hubbell,

The Senate adjourned.

*Lansing, Tuesday, January 27, 1885.*

The Senate met and was called to order by the President *pro tem.* at 2 o'clock P. M.

Prayer by the Rev. Mr. Brown.

Roll called: a quorum present.

Absent without leave, Senator Brown.

Mr. Manwaring asked and obtained leave of absence for Mr. Brown for the day.

#### PETITIONS.

No. 30. By Mr. Pulver: Petition of E. B. Welch and 66 others for soldiers bounty;

Referred to committee on military affairs.

No. 31. By Mr. Pennell: Petition of John Crafts, John Schlee, and others, asking for the passage of a bill legalizing the assessment roll of the township of Watertown, Clinton county, for the year 1879;

Referred to committee on the judiciary.

No. 32. By the same: Petition of the board of supervisors, county officials, and numerous tax-payers asking for the passage of a bill legalizing the assessment roll of the township of Watertown, Clinton county, in the year 1879;

Referred to committee on the judiciary.

#### REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 49, entitled

A bill authorizing and providing for the burial of the body of any honorably discharged union soldier, sailor, or marine of this State, who shall hereafter die without leaving means to defray funeral expenses,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, Chairman.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools to whom was referred

Senate bill No. 70, entitled

A bill to amend section 1 of chapter 10 of act 164 of the public acts of 1881, approved May 21, 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," as amended by act No. 28 of the session laws of 1883, approved April 18, 1883, being compiler's section 5132 of Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration and

have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. CARVETH, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred Senate bill No. 69, entitled

A bill to amend section 4, of act No. 347, of the session laws of 1873, entitled "An act to incorporate the board of education of the city of Hastings," approved April 2, 1873,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. CARVETH, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools to whom was referred Senate bill No. 73, entitled

A bill to amend section 14 of chapter 2, of act No. 164, of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being section 5046 of Howell's Annotated Statutes of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

J. CARVETH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Carveth,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred Senate bill No. 68, entitled

A bill to amend section 19 of chapter 3 of act No. 164 of the session laws of 1881, being section No. 5071 of Howell's Annotated Statutes, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools," and to repeal all statutes and acts contravening the provisions of this act relative to tuitions by non-residents,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the

bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

J. CARVETH, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Carveth,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate bill No. 17 (file No. 1), entitled

A bill to amend section 1 of act No. 77 of the session laws of 1869, entitled "An act in relation to life insurance companies transacting business within this State," approved March 30, 1869, being compiler's section 2936 of the compiled laws of 1871, and section 1 of chapter 131 of Howell's Annotated Statutes of Michigan, and to add to said act one new section, to stand as section 30;

Also,

A concurrent resolution requesting the Senators and Representatives in Congress to use their influence to secure an appropriation to erect suitable building for postoffices (and other government purposes) in all cities in the State that have a population of ten thousand or more, and to secure a reduction in taxation.

J. W. BELKNAP, *Chairman*.

Report accepted.

#### COMMUNICATIONS FROM STATE OFFICERS.

The President *pro tem*. announced the following:

*Lansing January 26, 1885.*

*To the Honorable Senate of the State of Michigan:*

By resolution of your honorable body, I am requested to give my opinion upon the question, "Whether a reference to Howell's Annotated Statutes only in a bill to amend the laws of this State is sufficient or not?"

My opinion is that such a reference would not alone be a sufficient title to a proposed amendment of the laws of this State. *Howell's Compiled and Annotated Statutes*, is a private enterprise, and not a compilation, under the constitution, Art. 18, Sec. 15. It is only made evidence of what the original statutes are. Act 13, laws 1883.

Reference to the compiled laws was held good in an amendatory statute. *Jones vs. Commissioner State Land Office, 21st Mich., 236.*

The title to the proposed amendment should state the title of original act, and the section to be amended, or if prior to the compiled laws of 1871, the section of the law amended and the object of original act. The object of the proposed amendment should appear.

As a matter of convenience, but not of necessity, I think reference to "the general statutes of the State of Michigan in force, compiled and annotated by Andrew Howell," should be made as follows:

"As being section — of such statutes," entitling as above, that being the title given Howell's Statutes in the act of 1883. It may not be absolutely essential that the title should specify the object of amendment, but the

absence of such statement was severely criticised in *Comstock vs. Superior Court of Grand Rapids, 39th Mich., 195*, and that statute was only held good for the reason that its "purpose" was "plain," and the safe course seems to be to have the title so drawn that the object of the amendment is shown.

Respectfully submitted,

MOSES TAGGART,  
*Attorney General.*

The communication was laid on the table.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, {  
*Lansing, Jan. 26, 1885.* }

*To the President of the Senate:*

SIR,—I am instructed by the House to inform the Senate that Messrs. Campbell, Post, Coomer, Hankerd, and Ford have been appointed members of the special joint committee, on the part of the House, under concurrent resolution authorizing a special joint committee to take charge of all bills relating to the assessment and taxation of property.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of House of Representatives.*

The message was laid on the table.

The President also announced the following:

HOUSE OF REPRESENTATIVES, {  
*Lansing, January 27, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following concurrent resolution:

*Resolved by the House of Representatives (the Senate concurring), That a joint committee of eight be appointed, to consist of three members of the Senate, and five members of the House, to whom shall be referred the memorial of Henry Chamberlain, in regard to the semi-centennial celebration;*

*Which has passed the House, and in which the concurrence of the Senate is respectfully asked.*

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The memorial not having been as yet presented in the Senate,

The concurrent resolution was laid on the table.

#### NOTICES.

Mr. Hawley gave notice that on some future day he would ask leave to introduce

A bill to establish a board of building inspectors in and for the city of Detroit, and to define its powers and duties.

Mr. Curtiss gave notice that on some future day he would ask leave to introduce

A bill to provide for continuance of actions in justice courts.

Mr. G. A. Smith gave notice that on some future day he would ask leave to introduce

A bill to repeal act number 17 of the Session Laws of 1882, approved March 14, 1882, being an act to amend section 3 of act number 159 of the Session Laws of 1881, entitled "An act to amend sections 3, 6, 7, and 10, of chapter 53, being compiler's sections 1962, 1965, 1966, and 1969 of the compiled laws of 1871, relative to disorderly persons," approved May 20, 1881;

Also,

A bill to repeal act number 136 of the session laws of 1883, approved May 31, 1883, being an "Act to amend chapter 53 of the compiled laws of 1871, relative to disorderly persons."

Mr. Moon gave notice that on some future day he would ask leave to introduce

A bill relative to suits for libel.

Mr. Henry gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Tawas City;

Also,

A bill to amend section five thousand five hundred and forty-two of the compiled laws of 1871, being section seven thousand one hundred and nine (7109) of Howell's Annotated Statutes, relative to appeals from the judgment of justices in criminal cases in justices' courts;

Also,

A bill to amend section fifty-eight (58), of act number 177, of the session laws of 1877, as amended by act number 110 of the session laws of 1879, being compiler's section 9800 of Howell's Annotated Statutes of this State, relative to the payment of officers' fees and expenses in conveying prisoners to the State House of Correction and Reformatory at Ionia.

Mr. Davenport gave notice that on some future day he would ask leave to introduce

A bill to amend section 1 of act entitled An act to provide for the regulation and enforcement of assignments for the benefit of creditors, and add two new sections thereto;

Also,

A bill to amend section 18 of chapter 266, of the Compiled Laws of 1871, being section 9651 of Howell's Statutes;

Also,

A bill to prevent crime and to punish truancy.

Mr. Manwaring gave notice that on some future day he would ask leave to introduce

A bill to reincorporate the village of Imlay City, Lapeer county.

Mr. Belknap gave notice that on some future day he would ask leave to introduce

A bill to amend sections 2, 8, 23, and 24, and to repeal sections 13, 14, 15, and 16 of act No. 215 of the session laws of 1873, entitled "An act to incorporate the village of Howard City," approved March 14, 1873, as amended March 10, 1877, and May 11, 1881, and to add one new section thereto, to stand as section 39.

#### MOTIONS AND RESOLUTIONS.

Mr. Hueston offered the following concurrent resolution:

WHEREAS, It having been charged by the newspaper press of Wayne county that gross irregularities or faults have been practiced in that county by the administration of the affairs of the board of county auditors, and

WHEREAS, Said board of county auditors is a special board organized by act of the Legislature, and can only be regulated by it; and

WHEREAS, Public sentiment, as expressed through the columns of the press, has demanded that one or both branches of the Legislature appoint a special committee to investigate the acts of said board: Therefore,

*Resolved* (the House concurring), That a special committee of three be appointed, two from the House and one from the Senate, whose duty it shall be to investigate the acts of said board for such term of years as they may deem advisable and report such recommendations as shall seem to them demanded by their findings. Said committee shall have power to take testimony, administer oaths, and send for papers and persons.

On motion of Mr. Hueston,

The consideration of the concurrent resolution was postponed for one day.

#### INTRODUCTION OF BILLS.

Mr. Carveth, previous notice having been given and leave being granted, introduced

Senate bill No. 75, entitled

A bill to amend section 17 of chapter 175 of an act entitled "An act to define the limits, jurisdiction, and powers of circuit courts" of the compiled laws of 1871, being compiler's section 6474 of Howell's Annotated Statutes, relative to the sum to be paid by parties demanding a jury.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 76, entitled

A bill to establish a Homœopathic Medical College in this State.

The bill was read a first and second time by its title and referred to the committee on education and public schools.

Mr. Austin, previous notice having been given, and leave being granted, introduced

Senate bill No. 77, entitled

A bill making an appropriation for an addition to the State Normal School and for rebuilding walks.

The bill was read a first and second time by its title, and referred to the committees on State Normal School and appropriations and finance jointly.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 78, entitled

A bill making appropriation for the current expenses of the State Normal School for the years 1885 and 1886.

The bill was read a first and second time by its title, and referred to the committee on State Normal School and appropriations and finance jointly.

Mr. Spencer, previous notice having been given and leave being granted, introduced

Senate bill No. 79, entitled

A bill making an appropriation for the support of the Reform School for the year 1885 and 1886, and for the erection of buildings and furnishing the same;

The bill was read a first and second time by its title and referred to the committee on reform school and appropriations and finance.

## UNFINISHED BUSINESS.

Being the consideration of the following preamble and concurrent resolution and the accompanying substitute as adopted by the House therefor:

WHEREAS, The Senate of the United States did pass a resolution of the date of April 22, A. D. 1884, instructing the Honorable Secretary of War to cause an inquiry to be made as to the cost of construction of the Lake Superior Ship Canal and the Portage Lake Improvement Company Canal; and also to inquire upon what terms said canals might be purchased by the United States, and make free water ways to the commerce of the great lakes;

AND WHEREAS, The Honorable Secretary of War did designate Col. O. M. Poe, of the United States Army, to make such examination and report, in conformity to said resolution;

AND WHEREAS, The Honorable Secretary of War did report on or about January 5, A. D., 1885, that Col. Poe had made such examination, and on whose report did recommend that Congress take steps to purchase the same, and make them free water ways to the commerce of the lakes;

AND WHEREAS, the tolls collected by these canals are a serious burden to a numerous people and very large industry embraced inside the limits of the territory supplied by these canals;

AND WHEREAS, these water ways should be made free channels to the great traffic that is now springing up with Minnesota, Iowa, and the country along the Northern Pacific R. R., that passes through Lake Superior, finding an outlet to the east and sea-board;

AND WHEREAS, the dangers of the navigation of Lake Superior may be greatly lessened by the improvement of this water way, and make a safe shelter at a point where the dangers of this lake are the greatest, and most serious disasters have occurred; therefore

*Be it resolved by the Senate of the State of Michigan* (the House concurring therein), that our Senators and Representatives in Congress be, and they are hereby requested to use their best endeavors to secure such legislation by Congress as will result in the United States acquiring the title to and the ownership of the ship canals connecting the waters of Keweenaw bay, by way of Portage lake, with the waters of Lake Superior, in the upper peninsula of Michigan, in accordance with the report of the honorable Secretary of War presented to the United States Senate about Jan. 5, A. D. 1885, in reply to its resolution of April 22, A. D. 1884, and making them free for the navigation and commerce of the great lakes;

The following is the substitute adopted by the House:

*Be it resolved by the Senate of the State of Michigan* (the House concurring), That our Senators and Representatives in Congress be and they are hereby requested to use their best endeavors to secure such legislation by Congress as will result in the United States acquiring, upon fair and reasonable terms, title to and ownership of the ship canals connecting the waters of Keweenaw Bay by way of Portage Lake with the waters of Lake Superior in the upper peninsula of Michigan and making them free to the navigation and commerce of the great lakes: *Provided*, That such legislation shall in no way effect the legal status of the land grants heretofore made in aid of either of the corporations constructing such canals, and that the cost of acquiring such title shall not be in excess of the actual value of such canals to commerce in their present condition, nor exceed the amount for which the Portage Lake and River Improvement Company's canal may be purchased by the county of Houghton under the statute of this State.



Mr. Hubbell moved to amend the resolution by striking out the words

"The ship canals connecting the waters of Keweenaw Bay by way of Portage Lake with the waters of Lake Superior in the upper peninsula of Michigan and making them free to the navigation and commerce of the great lakes: *Provided*, That such legislation shall in no way affect the legal status of the land grants heretofore made in aid of either of the corporations constructing such canals, and that the cost of acquiring such title shall not be in excess of the actual value of such canals to commerce in their present condition, nor exceed the amount for which the Portage Lake and River improvement Company's canal may be purchased by the county of Houghton, under the statute of this State;"

And inserting in lieu thereof the following:

"The Portage Lake and River Improvement Company and Portage Lake and Lake Superior Ship Canal and Railway Company, connecting the waters of Keweenaw bay through Portage river, Portage lake, and the Portage Lake and Lake Superior Ship Canal and Railway Company with the waters of Lake Superior, for the purpose of making them free to the commerce of the lakes, and securing a commodious harbor of refuge for that commerce at a point on Lake Superior most dangerous to it.

"*Resolved*, That the Secretary of the Senate be and he is hereby instructed to forward a copy of this resolution to each of our Senators and Representatives in Congress."

Mr. Curtiss moved that the further consideration of the subject be postponed for one day.

Mr. Hubbell called for the yeas and nays.

The motion then did not prevail by yeas and nays as follows:

#### YEAS.

Mr. Cline, Curtiss, Davenport,	Mr. Davis, Greiner, Hawley,	Mr. Heisterman, Manwaring,	Mr. Pennell, Sherwood,	10
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#### NAYS.

Mr. Austin, Carpenter, Carveth, Edwards,	Mr. Henry, Hubbell, Hueston, Monroe,	Mr. Moon, Phelps, Pulver, Smith, G. A.,	Mr. Smith, S. W., Spencer, Woodruff, President,	<i>pro tem.</i> 16
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The question being on the motion to amend the substitute adopted by the House;

Mr. Hubbell called for the yeas and nays;

The motion to amend then prevailed by yeas and nays as follows:

#### YEAS.

Mr. Austin, Carpenter, Carveth, Edwards,	Mr. Henry, Hubbell, Hueston, Monroe,	Mr. Moon, Phelps, Smith, G. A., Smith, S. W.,	Mr. Spencer, Woodruff, President <i>pro tem.</i> 15
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#### NAYS.

Mr. Cline, Curtiss, Davenport,	Mr. Davis, Greiner, Hawley,	Mr. Heisterman, Manwaring, Pennell,	Mr. Pulver, Sherwood,	11
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The question being on the adoption of the substitute as amended, the same was adopted by yeas and nays as follows:

## YEAS.

Mr. Austin,	Mr. Henry,	Mr. Moon,	Mr. Spencer,
Carpenter,	Hubbell,	Phelps,	Woodruff,
Carveth,	Hueston,	Smith, G. A.,	President
Edwards,	Monroe,	Smith, S. W.,	<i>pro tem.</i>

15

## NAYS.

Mr. Cline,	Mr. Davis,	Mr. Heisterman,	Mr. Pulver,
Curtiss,	Greiner,	Manwaring,	Sherwood,
Davenport,	Hawley,	Pennell,	

11

Mr. Hubbell moved that the rules be suspended, and the committee of the whole be discharged from the further consideration of

House joint resolution No. 2 (File No. 4), entitled

Joint resolution requesting our Senators and Representatives to vote for the passage of the bill to prevent the importation of laborers;

Which motion prevailed.

On motion of Mr. Hubbell,

The joint resolution was put on its immediate passage.

The joint resolution was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Manwaring,	Mr. Sherwood,
Carpenter,	Greiner,	Monroe,	Smith, G. A.,
Carveth,	Hawley,	Moon,	Smith, S. W.,
Cline,	Heisterman,	Pennell,	Spencer,
Curtiss,	Henry,	Phelps,	Woodruff,
Davenport,	Hubbell,	Pulver,	President
Davis,	Hueston,		<i>pro tem.</i>

26

## NAYS.

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Title agreed to.

Mr. Davenport moved to take from the table the following concurrent resolution:

*Resolved* (the House concurring), That the committees whose duty it is to visit the different State institutions be and they are hereby granted leave of absence for the purpose of visiting the same instead of an adjournment as is usual in such cases: *Provided*, That not more than one committee from each House shall be absent at any one time.

Which motion prevailed.

The question being on the adoption of the same,

Mr. Davenport called for the yeas and nays.

Mr. Hubbell moved to amend the resolution by striking out the words "*Provided*, That not more than one committee from each House shall be absent at any one time;"

Which motion prevailed.

Mr. Hubbell moved to postpone the further consideration of the concurrent resolution for one day.

Mr. G. A. Smith moved that the further consideration of the same indefinitely postponed.

The motion to postpone indefinitely then did not prevail by yeas and nays as follows:

## YEAS.

Mr. Austin, Carpenter, Henry,	Mr. Hueston, Manwaring, Moon,	Mr. Phelps, Smith, G. A.,	Mr. Spencer, Woodruff,	10
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## NAYS.

Mr. Carveth. Cline, Curtiss, Davenport,	Mr. Davis, Edwards, Greiner, Hawley,	Mr. Heisterman, Hubbell, Monroe, Pennell,	Mr. Pulver, Sherwood, Smith, S. W., President, <i>pro tem.</i>	16
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The question being on Mr. Hubbell's motion to postpone the further consideration of the concurrent resolution for one day,  
The same prevailed.

## GENERAL ORDER.

On motion of Mr. Hawley,

The Senate went into committee of the whole on the general order,  
Mr. Hawley in the chair.

After some time spent therein, the committee rose, and, through their chairman made the following report:

The committee of the whole have had under consideration the following:  
Senate bill No. 14 (File No. 2), entitled

A bill to amend section 1 of Act No. 105 of the session laws of 1869, entitled "An act for the encouragement of agriculture, manufactures, and the mechanic arts," being section 2298 of Howell's Annotated Statutes;

2. Senate bill No. 6 (File No. 3), entitled

A bill to amend section 8382, of volume 2 of Howell's Annotated Statutes of Michigan, of the year 1882, relative to the enforcement of liens;

3. Senate bill for No. 3 (file No. 5), entitled

A bill for the formation of corporations for the cultivation of art,

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

The committee of the whole have had under consideration the following:

Senate bill No. 29 (file No. 4), entitled

A bill for the protection of labor debts against exemptions;

Have made an amendment thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend its passage.

T. D. HAWLEY, *Chairman*.

Report accepted.

The three bills first named were placed on the order of third reading of bills.

The question being on concurring in the amendments made by the committee of the whole to the fourth named bill,

The Senate concurred.

The bill was then placed on the order of third reading of bills.

On motion of Mr. Hubbell,

The Senate adjourned.

*Lansing, Wednesday January 28, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.  
Prayer by the Rev. George Taylor.

Roll called : a quorum present.

The President announced the following :

SENATE CHAMBER, }  
*Lansing, January 28, 1885.* }

*To the President of the Senate:*

SIR—I respectfully ask to be excused from serving on the following committees, viz. :

Institution for the deaf and dumb, military affairs, and immigration.

Respectfully your obedient servant,

JAY A. HUBBELL.

The President announced that Mr. Hubbell would be excused from serving on the committees named.

#### PETITIONS.

No. 33. By Mr. Sherwood: Memorial of Henry Chamberlain suggesting the celebration of the semi-centennial of the admission of the State into the Union.

On motion of Mr. Sherwood,

The memorial was read at length and spread at large on the Journal, as follows :

*To the Honorable the Senate and House of Representatives of the State of Michigan :*

The undersigned would respectfully call the attention of the Honorable the Legislature of the State of Michigan to the fact that the semi-centennial of the formal declaration that Michigan was one of the States of the Union will occur on the 26th day of January, 1887.

Your memorialist would further represent that it is the wish of many citizens of this State that the event should be celebrated in a proper manner becoming the people of a State which will have increased by that time from 174,000 to 2,000,000 of people.

Your memorialist would suggest that a gathering at the State capital on the 26th day of January, 1887, of all the persons then living who have served the State as Governors, Senators, Representatives, members of the several Constitutional conventions, or State officers might be made an occasion of great interest, and might be the means of reviving incidents in the history of our State and perpetuating in the minds of our children valuable lessons.

Your memorialist would respectfully request that your honorable bodies appoint a joint committee of the two houses to take this matter into consideration.

HENRY CHAMBERLAIN.

*Three Oaks, Mich., Jan. 26, 1885.*

On motion of Mr. Sherwood,

The memorial was laid on the table without reference.

## REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred  
Senate bill No. 16, entitled

A bill to better preserve and protect deer within this State,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred  
Senate bill No. 74, entitled

A bill to amend sections 16 and 18 of chapter 266 of the compiled laws of 1871, being sections 9649 and 9651 of Howell's Annotated Statutes, relative to county jails,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred  
Senate bill No. 8, entitled

A bill to establish uniform time,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying substitute therefor, entitled

A bill to establish uniform time in the State of Michigan,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hawley,

The Senate concurred in the adoption of the substitute reported for the bill by the committee.

On motion of Mr. Hubbell,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,  
Belknap,  
Brown,

Mr. Davenport,  
Davis,  
Edwards,

Mr. Hubbell,  
Hueston,  
Manwaring,

Mr. Pulver,  
Sherwood,  
Smith, G. A.,

Mr. Carpenter,	Mr. Greiner,	Mr. Monroe,	Mr. Smith, S. W.
Carveth,	Hawley,	Moon,	Spencer,
Cline,	Heisterman,	Pennell,	Stephenson,
Curtiss,	Henry,	Phelps,	27

NAYS.

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Title agreed to.

On motion of

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on the State house of correction :

The committee on State house of correction to whom was referred that part of the retiring Governor's and the Governor's messages relating to the said institution and conveying prisoners thereto,

Respectfully report, that they have personally visited the State House of Correction at Ionia and find the following state of things existing : As reported by the warden there are now in the prison nine hundred and eighty-three prisoners. Four hundred and thirty-two are at work on contracts, making cigars, boots and shoes, and chairs. There are about two hundred employed at various things about the prison, and there are about three hundred with no employment except to eat their rations and be shifted about as convenience or necessity may dictate. There is cell accommodation for only six hundred and the others are provided with bunks in the open corridors, while sometimes two are placed in one cell, one cot or hammock over the other, with simply a place between the two for a man to drag his body in.

We find here prisoners of all grades, the blind, the lame, the feeble, and the halt, from the most hardened criminal, guilty of the blackest crimes, to the young man just arriving at manhood, guilty of no crime, but the victim of unfortunate circumstances, snatched up by harpies, pretended conservators of law and order, and by their construction of an injudicious Legislative enactment, taken to the penitentiary, and, his life ever afterwards blackened with a convict's name, is returned to society a worse citizen than before.

As to the general management of the institution, we do not feel disposed to criticise, and think, with the existing circumstances and surrounding difficulties, it has been as well managed as could be expected, and if there is doubt in any way, it has been with an idea to economy that is not profitable.

The question of the conveyance of prisoners calls for especial attention. For services and expenses of sheriffs and constables there was paid out of the State treasury for the fiscal year 1883, the sum of seventeen thousand seven hundred and seventy dollars; for the year 1884 twenty-six thousand six hundred and eighty-two dollars, an increase of over fifty per cent. From Jackson county the average cost of conveying a prisoner is \$14.50; from Kalamazoo county, \$18; Lenawee county, \$27; Washtenaw county, \$20.45. The amount paid from the State treasury for conveying prisoners to Ionia for the month of December, 1884, was \$5,312, from which there was paid to officers from Jackson county \$185.25; from Kalamazoo, \$396; from Oakland county, \$534.75; and from Washtenaw county, \$1,247.95.

We find from one county the same month, on four separate days there were conveyed each day three prisoners, each accompanied by a separate officer. Almost invariably there are four hack hires charged. All railroads at Ionia stop at the prison gates to let prisoners off, and we venture to presume that in many instances the officer or prisoner never rode in a hack during their lives.

From this investigation your committee can but arrive at the conclusion that there should be an immediate remedy for the abuse of laws that were enacted with a view to the public good. That as legislators we cannot be too quick to shut the flood gates open to rob the State treasury, demoralizing in its influence on the minds of officials appointed to enforce justice, and keep order for the well-being of society.

And to this end we recommend the repeal of all laws permitting justices of the peace to sentence prisoners to the State House of Correction.

G. A. SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The report was ordered printed in the journal, and laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 27, entitled

A bill to amend section 6856 of Howell's Annotated Statutes relative to jurisdiction of justices of the peace,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

Mr. Carveth moved the Senate concur in the amendments made to the bill by the committee.

Mr. Carveth called for the yeas and nays.

The amendments were concurred in by yeas and nays as follows:

#### YEAS.

Mr. Austin,	Mr. Curtiss,	Mr. Hawley,	Mr. Phelps,
Belknap,	Davenport,	Heisterman,	Pulver,
Carpenter,	Edwards,	Monroe,	Smith, G. A.,
Carveth,	Greiner,	Moon,	Spencer, 16

#### NAYS.

Mr. Brown,	Mr. Henry,	Mr. Manwaring,	Mr. Smith, S. W.,
Cline,	Hubbell,	Pennell,	Stephenson,
Davis,	Hueston,	Sherwood,	Woodruff, 12

By the committee on judiciary:

The committee on judiciary to whom was referred

Senate bill No. 36, entitled

A bill for the relief of purchasers and settlers on swamp lands,

Respectfully report that they have had the same under consideration, and directed me to report the same back to the Senate, and recommend that it be printed and recommitted to the committee on judiciary.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was ordered printed, and re-referred to the committee.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 53, entitled

A bill prohibiting judges or justices sitting in cases when they are related to an attorney, counselor, or solicitor in the case,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 28, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following joint resolution:

House joint resolution No. 4 (File No. 3), entitled

Joint resolution requesting Congress of the United States to make an appropriation to aid in the construction of a soldiers' home, to be erected in the State of Michigan;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 28, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 45 (File 20), entitled

A bill to authorize the burial of the body of any honorably discharged ex-union soldier, sailor, or marine of this State, who shall hereafter die without leaving means sufficient to defray funeral expenses;

2. House bill No. 77 (File 24), entitled

A bill to amend an act entitled "An act relative to justices' court in the city of Detroit," being act No. 280 of the session laws of 1883, approved April 25, 1883;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on military affairs.



The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 28, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 65 (File 17), entitled

A bill to amend section 1, of act 94, of the session laws of 1883, entitled  
“An act to insure the payment of wages earned, and for materials used in constructing, repairing, or ornamenting public buildings and public works;”

2. House bill No. 62 (File 22), entitled

A bill to amend sections 442 and 443, of the compiled laws of 1871, relating to the common jurisdiction of certain counties;”

Which have passed the House by a majority of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on labor.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 28, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 5 (File 7), entitled

A bill to authorize the township of Taymouth, in Saginaw county, to borrow money to be used in the construction of a bridge, and to issue bonds therefor;

2. House bill No. 51 (File 19), entitled

A bill to authorize the killing of English sparrows;

Which have passed the House, by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and

On motion of Mr. Davenport,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,  
Belknap,  
Brown,  
Carpenter,

Mr. Davenport,  
Davis,  
Edwards,  
Greiner,

Mr. Hubbell,  
Hueston,  
Manwaring,  
Monroe,

Mr. Pulver,  
Sherwood,  
Smith, G. A.,  
Smith, S. W.,

Mr. Carveth,	Mr. Hawley,	Mr. Moon,	Mr. Spencer,
Cline,	Heisterman,	Pennell,	Stephenson,
Curtiss,	Henry,	Phelps,	Woodruff,
			28

NAYS.

0

Title agreed to.

On motion of Mr Davenport,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The second named bill was read a first and second time by its title and referred to the committee on State affairs.

## NOTICES.

Mr. Hubbell gave notice that on some future day he would ask leave to introduce

A bill to change the boundary lines between the townships of Portage and Adams, in the county of Houghton ;

Also, by request,

A bill to amend section 38, of chapter 238, of compiled laws of 1871, being compiler's section 7423, and being section 9000 of Howell's Annotated Statutes, relative to taxation of costs in foreclosure of mortgages by advertisement.

Mr. Carpenter gave notice that on some future day he would ask leave to introduce

A joint resolution authorizing the Governor and military board to allow the Grand Army of the Republic Picnic Association of Lenawee and Hillsdale counties the use of tents belonging to the State.

Mr. Henry gave notice that on some future day he would ask leave to introduce

A bill to authorize the county of Presque Isle to issue bonds and to provide for the retirement of bonds heretofore issued.

Mr. Belknap gave notice that on some future day he would ask leave to introduce

A bill to secure to women citizens who are otherwise qualified, the right to vote in school, town, city, and other municipal elections.

Mr. Austin gave notice that on some future day he would ask leave to introduce

A bill to amend section 3, of act No. 97, of the general laws of 1861, entitled "An act to provide for the incorporation of associations for the publication of periodicals, newspapers, books, tracts, documents, and other publications," approved March 7, 1861, as amended by act No. 317 of the general laws of 1865, being section 3180 of the compiled laws of 1871, being section 4198 of Howell's Annotated Statutes.

Also,

A bill to amend sections 2 and 3 of act 192 of the general laws of 1867, entitled "An act to provide for the incorporation of associations, conventions, conferences, or religious bodies, for literary, religious, or other benevolent purposes," approved March 27, 1877, being sections 3132 and 3133 of the compiled laws of 1871, and section 5 of act 4 of the public laws of 1875, amendatory thereto, being sections 4723, 4724, and 4726 of Howell's Annotated Statutes ;

Also,

A bill to amend section 2 of act No. 43 of the general laws of 1867, entitled

"An act to provide for the formation of corporations for establishing health institutions," approved March 13, 1867, being section 3026 of the Compiled Laws of 1871, being section 4801 of Howell's Annotated Statutes.

Mr. Carveth gave notice that on some future day he would ask leave to introduce

A bill to provide for the payment of bounties to volunteers in the military and naval service of the United States, enlisting from this State during the war of the rebellion.

By unanimous consent,

Mr. Hubbell moved to take from the table

1. Senate bill No. 30, entitled

A bill to amend section 75, of chapter 10, of the compiled laws of 1871, being section 385 of Howell's Annotated Statutes, relative to county officers ;

2. Senate bill No 31, entitled

A bill to amend section 8 and to repeal sections 10 and 11 of chapter 50 of the compiled laws of 1871, being sections 1762, 1764, and 1765 of Howell's Annotated Statutes, relative to the support of the poor by the public ;

3. Senate bill No. 35, entitled

A bill to amend section 8, chapter 10, of an act entitled "An act for the incorporation of cities," approved April 20, 1873, being section 2544 of Howell's Annotated Statutes ;

Which motion prevailed.

On motion of Mr. Hubbell,

The bills were recommitted to the committee on the judiciary.

Mr. Sherwood moved to take from the table the following concurrent resolution :

*Resolved by the House of Representatives (the Senate concurring), That a joint committee of eight be appointed, to consist of three members of the Senate, and five members of the House, to whom shall be referred the memorial of Henry Chamberlain, in regard to the semi-centennial celebration ;*

Which motion prevailed.

On motion of Mr. Sherwood,

The Senate concurred in the adoption of the concurrent resolution.

#### INTRODUCTION OF BILLS.

Mr. Edwards, previous notice having been given and leave being granted, introduced

Senate bill No. 80, entitled

A bill to amend sections 64 and 65 of act No. 9 of the public acts of 1882, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon," so as to provide for the redemption of lands sold for taxes under said act.

The bill was read a first and second time by its title and referred to the select committee on taxation.

Mr. Manwaring, previous notice having been given and leave being granted, introduced

Senate bill No. 81, entitled

A bill to reincorporate the village of Imlay City, and to repeal act No. 323 session laws of 1873 as amended by act No. 323, session laws of 1875, approved April 4, 1875.

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. Hueston, previous notice having been given and leave being granted introduced

Senate bill No. 82, entitled

A bill to regulate practice of pharmacy in the State of Michigan.

The bill was read a first and second time by its title and referred to the committee on public health and State affairs.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 83, entitled

A bill to establish a board of building inspectors in and for the city of Detroit, and to define its powers and duties.

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. Belknap, previous notice having been given and leave being granted, introduced

Senate bill No. 84, entitled

A bill to amend sections 2, 8, 23, and 24, and to repeal sections 13, 14, 15, and 16 of act No. 215 of the session laws of 1873, entitled "An act to incorporate the village of Howard City," approved March 14, 1873, as amended March 10, 1877, and May 11, 1881, and to add one new section thereto, to stand as section 39.

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. G. A. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 85, entitled

A bill to repeal act number 136 of the session laws of 1883, approved May 31, 1883, being an "Act to amend chapter 53 of the compiled laws of 1871, relative to disorderly persons."

The bill was read a first and second time by its title and referred to the committees on the judiciary and the State house of correction jointly.

Mr. G. A. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 86, entitled

A bill to repeal act number 17 of the Session Laws of 1882, approved March 14, 1882, being an act to amend section 3 of act number 159 of the Session Laws of 1881, entitled "An act to amend sections 3, 6, 7, and 10, of chapter 53, being compiler's sections 1962, 1965, 1966, and 1969 of the compiled laws of 1871, relative to disorderly persons," approved May 20, 1881.

The bill was read a first and second time by its title, and referred to the committees on the judiciary and the State house of correction jointly.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 87, entitled

A bill to amend section 5542 of the compiled laws of 1871, being section 7102 of Howell's Annotated Statutes, relative to appeals from the judgment of justices in criminal cases in justices' courts.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. Moon, previous notice having been given and leave being granted, introduced

Senate bill No. 88, entitled

A bill relative to suits for libel.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. S. W. Smith, previous notice not having been given and leave being granted, introduced

Senate bill No. 89, entitled

A bill to amend section 44 of chapter 46 of the compiled laws of 1871, being compiler's section 1735, and being also section 1676 of Howell's Annotated Statutes relative to public health.

The bill was read a first and second time by its title and referred to the committee on public health.

### THIRD READING OF BILLS.

Senate bill No. 14 (File No. 2), entitled

A bill to amend section 1 of act No. 105, of the session laws of 1869, entitled, "An act for the encouragement of agriculture, manufactures, and the mechanic arts," being section 2298 of Howell's Annotated Statutes.

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Belknap,	Mr. Davis,	Mr. Hubbell,	Mr. Pulver,	
Brown,	Edwards,	Hueston,	Sherwood,	
Carpenter,	Greiner,	Manwaring,	Smith, S. W.,	
Carveth,	Hawley,	Monroe,	Spencer,	
Cline,	Heisterman,	Moon,	Stephenson,	
Curtiss,	Henry,	Pennell,	Woodruff,	
Davenport,				25

#### NAYS.

Mr. Austin,	Mr. Phelps,	Mr. Smith, G. A.,	0
			3

Title agreed to.

Senate bill No. 6 (File No. 3), entitled

A bill to amend continuous Section 8382, of the second volume of Howell's Annotated Statutes of Michigan of the year 1882,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent,

Mr. Hubbell moved to amend the enacting section so as to read as follows:

*The People of the State of Michigan enact*, That section six of Act No. 558 of the Public Acts of 1879, being section 8382 of Howell's Annotated Statutes, relative to the enforcement of liens of mechanics and others, be and the same is hereby amended so as to read as follows:

Which motion prevailed, and the bill was so amended.

The bill was then passed, a majority of all the Senators elect voting therefor by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hubbell,	Mr. Pulver,
Belknap,	Davis,	Hueston,	Sherwood,
Brown,	Edwards,	Manwaring,	Smith, G. A.,
Carpenter,	Greiner,	Monroe,	Smith, S. W.,

Mr. Carveth,	Mr. Hawley,	Mr. Moon,	Mr. Spencer,
Cline,	Heisterman,	Pennell,	Stephenson,
Curtiss,	Henry,	Phelps,	Woodruff, 28

NAYS.

0

The question being on agreeing to the title,

Mr. Hubbell moved to amend the title so as to read as follows:

A bill to amend section 6 of act No. 558 of the public acts of 1879, being section 8382 of Howell's Annotated Statutes, relative to the enforcement of liens of mechanics and others;

Which motion prevailed.

The title as amended was then agreed to.

Senate bill No. 29 (file No. 4), entitled

A bill for the protection of labor debts against exemption,

Was read a third time, and pending the taking of the vote thereon, by unanimous consent, Mr. Pulver moved to amend the bill as follows:

By adding to the end of section 5 the words, "and is unable to procure security for costs;"

Which motion prevailed and the bill was so amended.

The bill was then passed, and a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hubbell,	Mr. Pulver,
Belknap,	Davis,	Hueston,	Sherwood,
Brown,	Edwards,	Manwaring,	Smith, G. A.,
Carpenter,	Greiner,	Monroe,	Smith, S. W.,
Carveth,	Hawley,	Moon,	Spencer,
Cline,	Heisterman,	Pennell,	Stephenson,
Curtis,	Henry,	Phelps,	Woodruff, 28

NAYS.

0

Title agreed to.

Senate bill No. 3 (File No. 5), entitled

A bill for the formation of corporations for the cultivation of art,

Was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hubbell,	Mr. Sherwood,
Belknap,	Davis,	Hueston,	Smith, G. A.,
Brown,	Edwards,	Manwaring,	Smith, S. W.,
Carpenter,	Greiner,	Monroe,	Spencer,
Carveth,	Hawley,	Moon,	Stephenson,
Cline,	Heisterman,	Pennell,	Woodruff,
Curtiss,	Henry,	Phelps,	27

NAYS.

0

Title agreed to.

GENERAL ORDER.

On motion of Mr. Manwaring,

The Senate went into committee of the whole on the general order.

Mr. Henry in the chair.

After some time spent therein, the committee rose, and, through their chairman, made the following report:

The committee of the whole have had under consideration the following:

1. Senate joint resolution No. 6 (File No. 2), entitled

Joint resolution to provide for the exhibition of the horticultural and pomological productions of this State, at the exhibition of the American Pomological Society, to be held at Grand Rapids, Michigan, in September, 1885;

2. Senate bill No. 10 (File No. 10), entitled

A bill to provide for the representation of different political parties on boards of election,

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

The committee of the whole have also had under consideration the following:

3. Senate bill No. 12 (File No. 9), entitled

A bill to provide for the appeal and final disposition of certain civil cases brought into justices' courts in this State;

Have stricken out all after the enacting clause thereof, and ask the concurrence of the Senate in their action.

C. R. HENRY, *Chairman*.

Report accepted.

The first named joint resolution and bill were placed on the order of third reading of bills.

On motion of Mr. Henry,

The Senate concurred in the action of the committee of the whole in striking out all after the enacting clause of the last named bill.

On motion of Mr. Henry,

The title and enacting clause of the last named bill were laid on the table. By unanimous consent the Senate returned to the order of

#### UNFINISHED BUSINESS.

Being the consideration of the following concurrent resolution:

WHEREAS, It having been charged by the newspaper press of Wayne county that gross irregularities or faults have been practiced in that county by the administration of the affairs of the board of county auditors; and

WHEREAS, Said board of county auditors is a special board organized by act of the Legislature, and can only be regulated by it; and

WHEREAS, Public sentiment, as expressed through the columns of the press, has demanded that one or both branches of the Legislature appoint a special committee to investigate the acts of said board; therefore,

*Resolved* (the House concurring), That a special committee of three be appointed, two from the House and one from the Senate, whose duty it shall be to investigate the acts of said board for such term of years as they may deem advisable and report such recommendations as shall seem to them demanded by their findings. Said committee shall have power to take testimony, administer oaths, and send for papers and persons.

The question being on the adoption of the concurrent resolution,

After a lengthy discussion thereon,

On motion of Mr. Hawley,

The Senate adjourned.

*Lansing, Thursday, January 29, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.

Prayer by the Rev. W. H. Thompson.

Roll called: quorum present.

#### PETITIONS.

No. 34. By Mr. Sherwood: Petition of citizens of Benton Harbor and St. Joseph relative to salaries of Judges of the Supreme Court;

Laid on the table.

No. 35. By Mr. Pennell: Petition of F. L. Smith, E. B. Nichols, and 70 other tax-payers of the township of Watertown, Clinton county, asking for the passage of a bill legalizing the assessment roll of the township of Watertown, Clinton county, for the year 1879.

Referred to the committee on the judiciary.

No. 36. By Mr. Phelps: Resolutions of the board of supervisors of Wexford county, adopted January 9, 1885, relative to the tax laws;

On motion of Mr. Phelps,

The resolutions were ordered printed in the Journal and referred to the select committee on taxation.

The following are the resolutions:

*Resolved*, By the board of supervisors of Wexford county, that the Legislature be and is hereby respectfully requested to so amend the tax law that time for the supervisors to deliver the tax roll to the town treasurer be extended to the first day of January, and that the time for collecting the tax thereon be extended to the first day of March, and that all personal property shall be assessed in the township and wards where the same may be found at the time of taking the assessment, and that each person assessable be required to make a statement under oath as to the amount of personal property in his or her possession, and that a false statement so made, or an evasion of a true statement of the same, to the best of their knowledge, shall be deemed a misdemeanor, punishable by fine or imprisonment, and that the time for the annual meeting of the board be changed to the second Monday in November;

*And be it further resolved*, That a copy of this resolution be forwarded to our Senator and Representative in the Legislature.

No. 37. By Mr. Phelps: Resolutions of the board of supervisors of Mecosta county, adopted January, 1885, relative to the tax laws;

On motion of Mr. Phelps,

The resolutions were ordered printed in the Journal and referred to the special committee on taxation.

The following are the resolutions:

#### REPORT OF SPECIAL COMMITTEE.

*To the Honorable Board of Supervisors of Mecosta County :*

Your special committee to whom was referred the matter of the amendment of the tax laws of 1882, make the following report: That our Representatives in the State Legislature be requested to secure an amendment to the tax laws of 1882, making the refusal to make and deliver to the super-



visor by any person of whom the same shall be requested, a statement of his personal property, and also knowingly making a false statement of such property a misdemeanor, punishable by fine or imprisonment, the same to take immediate effect after its passage.

All of which is respectfully submitted.

E. A. STRAUB,  
J. T. ESCOTT,  
GEORGE MINKEL,  
*Committee.*

Adopted.

By Mr. Straub,

*Resolved*, That the clerk of the board send certified copies of the above resolution to the Senator from this senatorial district and the member of the House of Representatives from this county.

Adopted.

No. 38. By Mr. Phelps: Resolutions of the Scandinavian Assembly, No. 3,057, Knights of Labor.

On motion of Mr. Phelps,

The resolutions were ordered printed in the Journal and referred to the committee on labor.

The following are the resolutions:

At a meeting of Scandinavian Assembly, initiated No. 3057 of the Knights of Labor of America, the following resolutions were accepted:

1. The repeal of present convict contract labor law.
2. That the products of the labor of convicts shall belong to the State and be sold at the same price as that of free and honest labor.
3. That the mechanics' lien law be repealed and a law enacted giving the laborers a first lien upon the products of their labor and the ground upon which the labor is done.
4. The repeal of the Baker conspiracy law.

*Resolved further*, We beg your Honor to act the best in our favor.

Very respectfully,

W. OAMILLO, *Recording Secretary.*

*Manistee, P. O. B. 39.*

No. 39. By Mr. Phelps: Resolutions of the Knights of Labor by local assembly No. 3185, located at Filer City, Michigan.

On motion of Mr. Phelps,

The resolutions were ordered printed in the Journal, and referred to the committee on labor.

The following are the resolutions:

FILER CITY, MICH., Dec. 24, 1884.

*To the Order wherever found:*

WHEREAS, It is a well-known fact that in previous sessions of the Legislature of this State, certain bills in the interest of the laboring masses and our industries in general, have been brought before that body, and some of them have passed the House, but have been pigeon-holed when they came to the Senate, that honorable body ignoring the fact that they are the servants of the people and not simply the agents of a few capitalists and monopolists;

AND WHEREAS, It is well-known that said capitalists do not neglect to make their wishes known in regard to any laws that would be to their interest to

have passed, and equally well known that the laboring men have neglected to do this in the past;

AND WHEREAS, It is upon the well-being of the laboring classes that the prosperity of the state of the society depends—they being the producers or creators of all utilities; therefore be it

*Resolved*, By local assembly No. 3185, located at Filer City, Mich., that we invite every local assembly of the Knights of Labor of America in the State of Michigan, to coöperate with us in demanding of the State Senators the introduction and support of the following bills:

1st. The repeal of the present convict contract labor law.

2d. That the products of the labor of convicts shall belong to the State and be sold at the same price as that of free and honest labor.

3d. That the mechanics' lien law be repealed and a law enacted giving the laborers a FIRST lien upon the products of their labor and the ground upon which the labor is done.

4th. The repeal of the Bakor conspiracy law.

*Resolved, further*, That the recording secretary of this assembly take action to have these resolutions printed and forwarded to all district and local assemblies in this State, and a copy sent to Senator Fitch Phelps, at Big Rapids.

WILLIAM G. BAUMGARDNER, M. W.

[SEAL.]

AXEL G. BURMAN, R. S.

No. 40. By Mr. Carveth: Petition of C. A. Hough and 27 others, requesting bounties for Michigan soldiers of the war of the rebellion;

Referred to committee on military affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committees on State house of correction and judiciary jointly:

The committees on State house of correction and judiciary jointly, to whom was referred

1. Senate bill No. 85, entitled

A bill to repeal act number 136 of the session laws of 1883, approved May 31, 1883, being an "Act to amend chapter 53 of the compiled laws of 1871, relative to disorderly persons;"

2. Senate bill No. 86, entitled

A bill to repeal act number 17 of the Session Laws of 1882, approved March 14, 1882, being an act to amend section 3 of act number 159 of the Session Laws of 1881, entitled "An act to amend sections 3, 6, 7, and 10, of chapter 53, being compiler's sections 1962, 1965, 1966, and 1969 of the compiled laws of 1871, relative to disorderly persons," approved May 20, 1881:

Respectfully report that they have had the same under consideration and have directed us to report the same back to the Senate, with the accompanying substitute therefor, entitled

A bill to prohibit justices of the peace from sentencing or committing any person to the State House of Correction and Reformatory at Ionia,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

G. A. SMITH,

*Chairman Committee on State House of Correction.*

JAY A. HUBBELL,

*Chairman Committee on Judiciary.*

Report accepted and committee discharged.

On motion of Mr. G. A. Smith,  
The Senate concurred in the adoption of the substitute reported for the bill by the committee.

On motion of Mr. G. A. Smith,

The rules were suspended, and the bill was placed on its immediate passage. The bill was then read a third time and passed, a majority of all the Senators elected voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hueston,	Mr. Pulver,
Belknap,	Davis,	Manwaring,	Sherwood,
Carpenter,	Edwards,	Monroe,	Shoemaker,
Carveth,	Greiner,	Moon,	Smith, G. A.,
Cline,	Heisterman,	Pennell,	Spencer,
Curtiss,	Hubbell,	Phelps,	Stephenson, 24

## NAYS.

Mr. Henry, Mr. Smith, S. W., Mr. Woodruff, 3

Title agreed to.

On motion of Mr. Phelps,

By a vote of two-thirds of the Senators elect, the bill was ordered to take immediate effect.

By the committee on State affairs:

The committee on State affairs to whom was referred

House bill No. 51 (File No. 19), entitled

A bill to authorize the killing of English sparrows,

Respectfully report that they have the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

## MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, Jan. 29, 1885.* }

*To the President of the Senate:*

SIR:—I am instructed by the House to re-return to the Senate the following concurrent resolution:

WHEREAS, The Senate of the United States did pass a resolution of the date of April 22, A. D. 1884, instructing the Honorable Secretary of War to cause an inquiry to be made as to the cost of construction of the Lake Superior Ship Canal and the Portage Lake Improvement Company Canal; and also to inquire upon what terms said canals might be purchased by the United States, and make free water ways to the commerce of the great lakes;

AND WHEREAS, The Honorable Secretary of War did designate Col. O. M. Poe, of the United States Army, to make such examination and report, in conformity to said resolution;

AND WHEREAS, The Honorable Secretary of War did report on or about January 5, A. D., 1885, that Col. Poe had made such examination, and on

whose report did recommend that Congress take steps to purchase the same, and make them free water ways to the commerce of the lakes;

AND WHEREAS, the tolls collected by these canals are a serious burden to a numerous people and very large industry embraced inside the limits of the territory supplied by these canals;

AND WHEREAS, these water ways should be made free channels to the great traffic that is now springing up with Minnesota, Iowa, and the country along the Northern Pacific R. R., that passes through Lake Superior, finding an outlet to the east and sea-board;

AND WHEREAS, the dangers of the navigation of Lake Superior may be greatly lessened by the improvement of this water way, and make a safe shelter at a point where the dangers of this lake are the greatest, and most serious disasters have occurred; therefore

*Be it resolved by the Senate of the State of Michigan* (the House concurring therein), that our Senators and Representatives in Congress be, and they are hereby requested to use their best endeavors to secure such legislation by Congress as will result in the United States acquiring the title to and the ownership of the ship canals connecting the waters of Keweenaw bay, by way of Portage lake, with the waters of Lake Superior, in the upper peninsula of Michigan, in accordance with the report of the honorable Secretary of War presented to the United States Senate about Jan. 5, A. D. 1885, in reply to its resolution of April 22, A. D. 1884, and making them free for the navigation and commerce of the great lakes;

For which resolution the House adopted the following substitute as shown by former message:

*Be it resolved by the Senate of the State of Michigan* (the House concurring), That our Senators and Representatives in Congress be and they are hereby requested to use their best endeavors to secure such legislation by Congress as will result in the United States acquiring, upon fair and reasonable terms, title to and ownership of the ship canals connecting the waters of Keweenaw Bay by way of Portage Lake with the waters of Lake Superior in the upper peninsula of Michigan and making them free to the navigation and commerce of the great lakes: *Provided*, That such legislation shall in no way effect the legal status of the land grants heretofore made in aid of either of the corporations constructing such canals, and that the cost of acquiring such title shall not be in excess of the actual value of such canals to commerce in their present condition, nor exceed the amount for which the Portage Lake and River Improvement Company's canal may be purchased by the county of Houghton under the statute of this State.

And which resolution the Senate amended by striking out the words:

"The ship canals connecting the waters of Keweenaw Bay by way of Portage Lake with the waters of Lake Superior in the upper peninsula of Michigan and making them free to the navigation and commerce of the great lakes: *Provided*, That such legislation shall in no way affect the legal status of the land grants heretofore made in aid of either of the corporations constructing such canals, and that the cost of acquiring such title shall not be in excess of the actual value of such canals to commerce in their present condition, nor exceed the amount for which the Portage Lake and River Improvement Company's canal may be purchased by the county of Houghton, under the statute of this State;"

And inserting in lieu thereof the following as shown by second transmit message:

"The Portage Lake and River Improvement Company and Portage Lake and Lake Superior Ship Canal and Railway Company, connecting the waters of Keweenaw bay through Portage river, Portage lake, and the Portage Lake and Lake Superior Ship Canal and Railway Company with the waters of Lake Superior, for the purpose of making them free to the commerce of the lakes, and securing a commodious harbor of refuge for that commerce at a point on Lake Superior most dangerous to it.

"*Resolved*, That the Secretary of the Senate be and he is hereby instructed to forward a copy of this resolution to each of our Senators and Representatives in Congress."

Now to inform the Senate that in the passage of said resolution as amended by the Senate, the House has concurred by a majority vote of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The concurrent resolution was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 29, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following preamble and concurrent resolution:

WHEREAS, It is important that the various institutions of the State be visited by the respective committees appointed for that purpose at an early day, and

WHEREAS, It is important that all members of the Legislature be present during the regular sessions; therefore

*Resolved by the House of Representatives* (the Senate concurring), That when the Legislature adjourn at the close of this week it stand adjourned until Tuesday, the 10th day of February, at 10 o'clock in the forenoon of said day, and that during such recess the respective committees attend to this duty of visiting said institutions, and prepare their reports;

Which has passed the House by a majority vote of all the Senators elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

On motion of Mr. G. A. Smith,

The Senate concurred in the adoption of the concurrent resolution.

#### NOTICES.

Mr. Austin gave notice that on some future day he would ask leave to introduce

A bill to validate and confirm proceedings under section 35 of the act entitled "an act for the incorporation of manufacturing companies," approved May 1, 1875, being section 4161 of Howell's Annotated Statutes.

Mr. Moon gave notice that on some future day he would ask leave to introduce

A joint resolution, for the payment of expenses incurred in examinations of charges incurred against Nelson Delong, mayor of the city of Muskegon.

Mr. Curtiss gave notice that on some future day he would ask leave to introduce

A bill to amend compiler's section 2376 of the Compiled Laws of 1871, the same being 3443 of Howell's Annotated Statutes of Michigan, relative to cutting and destroying noxious weeds on lands occupied by railroads.

#### INTRODUCTION OF BILLS.

Mr. Davis, previous notice having been given and leave being granted, introduced

Senate bill No. 90, entitled

A bill to amend section 91 of Howell's Annotated Statutes, relative to the time of the registration of voters.

The bill was read a first and second time by its title and referred to the select committee on election laws.

Mr. Cline, previous notice having been given and leave being granted, introduced

Senate bill No. 91, entitled

A bill to amend sections 1 and 2 of chapter 10 of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement, and maintenance of highways and private roads, and the building, repairing, and preservation of bridges in this State," being sections 1408 and 1409 of Howell's Annotated Statutes of Michigan.

The bill was read a first and second time by its title and referred to the committee on agricultural interests.

Mr. Hubbell (by request), previous notice having been given, and leave being granted, introduced

Senate bill No. 92, entitled

A bill to amend section 38 of chapter 238 of compiled laws of 1871, being compiler's section 7423, and being section 9000 of Howell's Annotated Statutes, relative to taxation of costs in foreclosure of mortgages by advertisement.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. Pennell, previous notice having been given and leave being granted introduced

Senate bill No. 93, entitled

A bill to amend sections 1, 2, and 6 of act 127, of the session laws of 1879, entitled "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to repeal act No. 181 of the session laws of 1875, approved May 1, 1875, and act No. 196 of the session laws of 1877, approved May 22, 1877," being sections 1537, 1538, and 1842 of Howell's Annotated Statutes of Michigan.

The bill was read a first and second time by its title and referred to the committee on State affairs.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 94, entitled

A bill to amend sections 2 and 3 of act 192 of the general laws of 1867, entitled "An act to provide for the incorporation of associations, conventions, conferences, or religious bodies, for literary, religious, or other benevolent purposes," approved March 27, 1877, being sections 3132 and 3133 of the compiled laws of 1871, and section 5 of act 4 of the public laws of 1875,

amendatory thereto, being sections 4723, 4724, and 4726 of Howell's Annotated Statutes;

The bill was read a first and second time by its title, and

On motion of Mr. Austin,

The bill was ordered printed and referred to the committees on religious and benevolent societies and the judiciary, jointly.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 95, entitled

A bill to amend section 3, of act No. 97, of the general laws of 1861, entitled "An act to provide for the incorporation of associations for the publication of periodicals, newspapers, books, tracts, documents, and other publications," approved March 7, 1861, as amended by act No. 317 of the general laws of 1865, being section 3180 of the compiled laws of 1871, being section 4198 of Howell's Annotated Statutes.

The bill was read a first and second time by its title and referred to the committee on banks and incorporations.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 96, entitled

A bill to amend section 2 of act No. 43 of the general laws of 1867, entitled "An act to provide for the formation of corporations for establishing health institutions," approved March 13, 1867, being section 3026 of the Compiled Laws of 1871, being section 4801 of Howell's Annotated Statutes.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Carveth, previous notice having been given and leave being granted, introduced

Senate bill No. 97, entitled

A bill to provide for the payment of bounties to volunteers in the military and naval service of the United States, enlisting from this State during the war of the rebellion.

The bill was read a first and second time by its title, and referred to the committees on military affairs and appropriations and finance, jointly.

Mr. Belknap, previous notice having been given and leave being granted, introduced

Senate bill No. 98, entitled

A bill to secure to women citizens who are otherwise qualified, the right to vote in school, town, city, and other municipal elections.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. Phelps, previous notice not having been given and leave being granted, introduced

Senate bill No. 99, entitled

A bill to regulate the manner in which insurance companies not organized under the laws of this State, but doing business within it, shall conduct their business.

The bill was read a first and second time by its title, and referred to the committee on insurance.

Mr. Carpenter, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 9, entitled

A joint resolution authorizing the Governor and military board to allow the Grand Army of the Republic Picnic Association of Lenawee and Hillsdale counties the use of tents belonging to the State.

The bill was read a first and second time by its title, and referred to the committee on military affairs.

### THIRD READING OF BILLS.

Senate bill No. 10 (File No. 10) entitled, Senate Bill to provide for the representation of different political parties on boards of election.

Was read a third time and passed, a majority of all the Senators elect voting therefor by yeas and nays as follows:

#### YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Davis,	Manwaring,	Shoemaker,
Brown,	Edwards,	Monroe,	Smith, G. A.,
Carpenter,	Greiner,	Moon,	Smith, S. W.,
Carveth,	Heisterman,	Pennell,	Spencer,
Mr. Cline,	Henry,	Phelps,	Stephenson,
Curtiss,	Hubbell,	Pulver,	Woodruff, 28

#### NAYS.

0

Title agreed to.

On motion of Mr. Carveth,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate joint resolution No. 6 (File No. 2), entitled

Joint resolution to provide for the exhibition of the horticultural and pomological productions of this State, at the exhibition of the American Pomological Society, to be held in Grand Rapids, Michigan, in September, 1885.

Was read a third time and passed, two-thirds of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Davis,	Manwaring,	Shoemaker,
Brown,	Edwards,	Monroe,	Smith, G. A.,
Carpenter,	Greiner,	Moon,	Smith, S. W.,
Carveth,	Heisterman,	Pennell,	Spencer,
Cline,	Henry,	Phelps,	Stephenson,
Curtiss,	Hubbell,	Pulver,	Woodruff, 28

#### NAYS.

0

Title agreed to.

### UNFINISHED BUSINESS.

Being the consideration of the following concurrent resolution:

WHEREAS, It having been charged by the newspaper press of Wayne county that gross irregularities or faults have been practiced in that county by the administration of the affairs of the board of county auditors; and

WHEREAS, Said board of county auditors is a special board organized by act of the Legislature, and can only be regulated by it; and

WHEREAS, Public sentiment, as expressed through the columns of the press,



has demanded that one or both branches of the Legislature appoint a special committee to investigate the acts of said board; therefore,

*Resolved* (the House concurring), That a special committee of three be appointed, two from the House and one from the Senate, whose duty it shall be to investigate the acts of said board for such term of years as they may deem advisable and report such recommendations as shall seem to them demanded by their findings. Said committee shall have power to take testimony, administer oaths, and send for papers and persons.

The question being on the adoption of the concurrent resolution,

After some discussion,

On motion of Mr. Hueston,

The preamble and concurrent resolution were laid on the table.

Being also the consideration of the following concurrent resolution:

*Resolved* (the House concurring), That the committees whose duty it is to visit the different State institutions be and they are hereby granted leave of absence for the purpose of visiting the same instead of an adjournment as is usual in such cases.

By unanimous consent,

Mr. Davenport withdrew the concurrent resolution.

Mr. Henry moved that the Secretary be instructed to send a respectful message to the House requesting the return of

Senate bill No. 85, entitled

A bill to prohibit justices of the peace from sentencing or committing any person to the State House of Correction and Reformatory at Ionia.

Mr. G. A. Smith called for the yeas and nays.

The motion did not prevail by yeas and nays as follows:

#### YEAS.

Mr. Davenport,  
Edwards,

Mr. Henry,  
Pulver,

Mr. Smith, S. W., Mr. Woodruff,

6

#### NAYS.

Mr. Austin,  
Belknap,  
Brown,  
Carpenter,  
Carveth,  
Oline,

Mr. Curtiss,  
Davis,  
Greiner,  
Heisterman,  
Hubbell,  
Hueston,

Mr. Manwaring,  
Monroe,  
Moon,  
Pennell,  
Phelps,

Mr. Sherwood,  
Shoemaker,  
Smith, G. A.,  
Spencer,  
Stephenson,

22

On motion of Mr. Henry,

The Senate went into executive session, the time being 4:28 P. M.

The executive session closed, the time being 4:50 P. M.

Roll called: quorum present.

On motion of Mr. Pulver,

The Senate adjourned.

*Lansing, Friday, January 30, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.  
Prayer by the Rev. Mr. Valentine.

Roll called: quorum present.

Absent without leave: Senator Greiner.

Mr. Hueston asked and obtained leave of absence for Mr. Greiner on account of sickness.

#### ANNOUNCEMENTS.

The President made the following announcements:

I hereby appoint on committees in place of Mr. Hubbell, resigned:

Mr. Belknap, as chairman of Michigan institution for the deaf and dumb.

On military affairs, Mr. Henry.

On immigration, Mr. Carpenter.

Also, as Senate members of the joint special committee of eight to whom the memorial of Hon. Henry Chamberlain in regard to the semi-centennial celebration be referred, Messrs. Sherwood, Woodruff, and Moon.

I wish also to call the attention of chairmen of committees visiting the State institutions, under authority of the Legislature, to sections 66 to 69 of Howell's Annotated Statutes, in regard to fees allowed by law to members of said committees.

The Secretary read the following:

*To the President of the Senate and Speaker of the House of Representatives:*

GENTLEMEN—The joint select committee on taxation have appointed Mark M. Powers, of Grand Rapids, as clerk thereof.

*Dated January 30, 1885.*

JAY A. HUBBELL,  
*Chairman on part of Senate.*  
MILO D. CAMPBELL,  
*Chairman on part of House.*

*Lansing, Mich., Jan. 30, 1885.*

*To the President of the Senate:*

SIR—Believing that many Senators desire to inform themselves regarding the methods, discipline, workings, and industries of the Detroit House of Correction, which information may be useful to them as legislators, I most respectfully invite the committees of the Senate in charge of penal and reformatory institutions, as well as the individual members of the Senate, to visit the Detroit House of Correction at such time as may suit their convenience. Such visits will be most cordially welcomed, and every facility will be given the honorable Senators to pursue such inquiries as they may think proper regarding the institution.

Very respectfully yours,

JOSEPH NICHOLSON,  
*Superintendent of the Detroit House of Correction.*

On motion of Mr. Sherwood,

The memorial of Hon. Henry Chamberlain (No. 33), relative to a semi-cen-

ennial celebration, was taken from the table and referred to the select committee above appointed.

#### PETITIONS.

No. 41. By Mr. Hawley: Petition of John Greusel and 67 others favoring Senate bill No. 23 extending the city limits of Detroit;

Referred to the committee on cities and villages.

No. 42. By Mr. Hawley: Petition of Walter Smith and 27 others for the same object;

Referred to the committee on cities and villages.

No. 43. By Mr. Davis: Memorial of the board of supervisors of Bay county to so amend our tax law as not to discriminate in favor of non-resident taxpayers:

Referred to the select committee on taxation.

#### REPORTS OF STANDING COMMITTEES.

By the committee on the northern asylum for the insane:

The committee on the northern asylum for the insane, respectfully report that they have personally visited and inspected the asylum buildings in the course of construction at Traverse City. The present condition and the future wants of the buildings, to fit them for occupancy, having been so aptly described by the superintendent in his report for 1884, it will not be necessary for us to do so here. We believe that the moneys thus far appropriated have been judiciously expended. The work on the buildings has been done in a first-class manner. The buildings, when completed and furnished, will be a monument of Michigan's kind care for her unfortunate children.

Your committee respectfully request your early consideration of the estimated amounts required to furnish and equip the buildings (as found on page 8, of the Board of Commissioners' Report for the year 1884), in order that the Eastern and the asylum at Kalamazoo may be relieved of their crowded condition, and in order that additional accommodation may be provided for the unfortunate. We recommend that the appropriation asked for to fit and furnish the buildings should be granted without delay. We have carefully examined the different items, as found on page 8, Commissioners' Report for 1884. We recommend that the total amount as enumerated be granted, excepting and deducting therefrom the sum of \$2,000 from the estimate for grading, leaving that item \$1,600.

A bill asking for an appropriation covering said estimates, will be presented for your consideration in due season.

We also recommend that the State purchase an additional 40-acre tract. Being situated directly in front of the asylum buildings, said tract, if occupied by dwellings, would obstruct the view from the asylum buildings towards the bay, and would materially detract from the general appearance and the beauty of the grounds. This matter has been fully explained and its purchase urged, and the legal difficulties pertaining thereto explained in the Commissioners' Report for 1882. In order that said legal difficulties may be overcome, we recommend that the Legislature pass an enabling act, in order that the lands may be secured at an early date.

R. KEMPF, *Chairman.*

Report accepted and ordered entered at length on the journal.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

Senate bill No. 7, entitled

A bill to amend continuous section 2368 of volume 1 of Howell's Annotated Statutes of Michigan, of the year 1882, relative to partnership associations.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying amendment,

Which is to insert after the word "prescribe," in line 3 of section 4, the words, "and in force at the time of such transfer;"

Recommending that the amendment be concurred in, and that the bill as amended do pass, and ask to be discharged from the further consideration of the subject.

C. J. MONROE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Shoemaker,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 59, entitled

A bill to provide for the review of motions for new trials by the Supreme Court,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 60, entitled

A bill to amend compiler's section 5727 of the compiled laws of 1871, being section 6 of chapter 257 of Howell's Annotated Statutes of Michigan, so as to specify the times for the issue and return of original writs in personal actions in courts of record, and provide for common return days for said writs,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred  
Senate bill No. 61, entitled

A bill to provide for the finding and return of verdicts by a less number than 12 jurors in the trial of civil cases in courts of record in the State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that it do not pass, that it be not printed, but laid on the table, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,  
The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary to whom was referred  
Senate bill No. 62, entitled

A bill to provide for the finding and return of verdicts by a less number than six jurors in trial of cases in justices' courts in this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do not pass, that it be not printed but laid on the table, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,  
The bill was laid on the table.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred  
Senate bill No. 67, entitled

A bill to amend section 5542 of compiled laws of 1871, being section 7109 of Howell's Annotated Statutes relative to appeals from the judgment of justices in criminal cases in justice courts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that it do not pass, that it be not printed but laid on the table, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,  
The bill was laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred  
Senate bill No. 26, entitled

A bill to abolish the office of Commissioner of Immigration,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred  
Senate bill No. 65, entitled

A bill to amend the title and sections 1, 2, 3, 5, and 6 of act No. 171 of the session laws of 1873, approved April 29, 1873, as amended by act No. 37, laws of 1875, approved March 14, 1875, being title to chapter 346 and sections 9894, 9895, and 9899, Howell's Annotated Statutes, relating to State agency for juvenile dependents and offenders,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following concurrent resolution:

*Be it resolved by the Senate of the State of Michigan* (the House concurring), That our Senators and Representatives in Congress be and they are hereby requested to use their best endeavors to secure such legislation by Congress as will result in the United States acquiring, upon fair and reasonable terms, title to and ownership of the Portage Lake and River Improvement Company and Portage Lake and Lake Superior Ship Canal and Railway Company, connecting the waters of Keweenaw bay through Portage river, Portage lake, and the Portage Lake and Lake Superior Ship Canal and Railway Company with the waters of Lake Superior, for the purpose of making them free to the commerce of the lakes, and securing a commodious harbor of refuge for that commerce at a point on Lake Superior most dangerous to it.

*Resolved*, That the Secretary of the Senate be and he is hereby instructed to forward a copy of this resolution to each of our Senators and Representatives in Congress.

J. W. BELKNAP, *Chairman*.

Report accepted.

By the committee on judiciary:

The committee on the judiciary to whom was referred the petition of James McNamara, praying for the reasons therein stated that the seat now held in this Senate by Charles R. Henry as Senator from the twenty-ninth Senatorial district, be awarded to the said petitioner, respectfully report that they have had the same under consideration.

The facts and circumstances, upon which contestant relied as the basis of his claim, are set forth in his petition, at length, on page ten (10) of the Legislative Journal, and are in substance that the said Charles R. Henry, on the 4th day of November, 1884, the same being election day, was prosecuting attorney of Isosco county, and did not resign his said office on or before that day. That, in consequence thereof, all votes cast for said Charles R. Henry were void, and he ineligible to a seat in this Senate, under section six (6), article four (4), of the constitution of this State, which reads as follows: "No person holding an office under the United States, or any county office, except notary public, officers of the militia, and officers elected by townships, shall be eligible to or have a seat in either house of the Legislature; and all votes given for any such person shall be void."

The facts alleged in the petition relative to the holding of said office are conceded by the sitting member, by reason of which the taking of any testimony, in support of the petition, was obviated, and the only question left for your committee to determine was the legality of the member receiving the highest number of votes, and certificates of electors, to retain his seat.

And in order to arrive at a just and legal determination of this question, the action of former legislative bodies in the establishment of precedents, and so much of the constitution as relates to this question, should, we believe, be considered together, and the spirit and intent of the same receive as much consideration as the letter of the law; and unless it is clearly established that both the spirit and the letter of the law demand it, the will of the people should not be set aside and disregarded.

There is a marked distinction between an election to a legislative office *in futuro*, to take effect after a present disability is removed, and an election to hold a seat in the Legislature *in presenti*, while the disability exists. Mr. Henry, November 4, 1884, although prosecuting attorney, was eligible to *be elected* to the present Senate. His disability would cease before his legislative term would commence. This is sustained in 28 Wisconsin Rep., p. 96, case of *State vs. Murray*; also McCrary's American Law of Elections, Sec. 258.

In commenting upon the case of *State vs. Murray*, McCrary said:

"In this case the distinction is clearly made between ineligibility to *hold* an office and ineligibility to be elected to an office for a term to commence in the future, and for the duties of which the person chosen may qualify himself before the term begins. It may here be added that it has been the constant practice in the Congress of the United States, since the rebellion, to admit persons to seats in that body who were ineligible at the date of their election, but whose disabilities had subsequently removed."

The clause of the constitution, so far as applicable to the present case, would read as follows:

"No person holding any county office shall be eligible to or have a seat in either house of the Legislature."

The object of this clause in our Constitution is evidently to prevent county officers from being members of the Legislature at one and the same time. It is the policy of our Constitution not to permit one person to hold office in different departments of the government simultaneously. Mr. Henry has not held the office of prosecuting attorney and senator at the same time. His term of office as prosecuting attorney expired before he could have taken his seat in this Senate; while he was prosecuting attorney he could not take his seat in the Senate.

The constitution specifies what shall make a person ineligible to a *seat* in the Legislature, and *not* what shall make a person ineligible to an *election* to the Legislature. It refers to the ineligibility of the person at the time he qualifies and enters upon the active duties of his office in legislative session. And, in case he so enters upon the duties of his office and claims his seat in either house of the Legislature, and at the same time is the incumbent of the county office, it becomes the duty of the Legislature, in accordance with the constitution, to determine that the *votes* cast for the office of Senator or Representative are void, and not the votes cast for the county office.

Section 6 of article 4 should be construed in connection of a view to giving full weight to section 9 of the same article, which reads: "Each house shall \* \* \* judge of the qualifications, elections, and returns of its own members."

Since legislative bodies have convened in this State for the purpose of framing, repealing, and amending laws, different political parties have held the balance of power, and all alike have united in establishing a long line of precedents, each judging of the qualifications of its members in the light of the foregoing constructions of the constitution, the first of which appears in 1855, shortly after the adoption of our constitution. In this case the seat of the sitting member, Hon. Erastus Hussey, was contested by Hon. Benjamin F. Graves, on the ground that Hussey, on the day of his election, held the office of county clerk. The Senate decided that the sitting member, Erastus Hussey, was entitled to his seat. Senate Journal, 1855, pages 154, 155, 156, and 157.

At the same session of the Senate, the seat of Hon. Austin Blair was contested, on the ground that the sitting member, Mr. Blair, held the office of prosecuting attorney on the day of his election, but the decision of Graves vs. Hussey was acquiesced in, and the case was dropped.—Senate Journal, same year, pages 69 and 75.

The Hon. Andrew Parsons was Lieut. Governor of the State in 1854. In November of that year, and while continuing to hold that office, he was permitted to take his seat in the Legislature in 1855, without contest or objection.

The same question arose in the Senate in 1881, in the case of Kirby vs. Lovell, and in the same session the seat of Hon. Richard Winsor was contested, on the ground that he was prosecuting attorney and United States commissioner at the time of his election. The former case was decided in favor of the sitting member by a decided vote of the Senate, and the latter was discontinued on the decision of the Kirby vs. Lovell case.

The latest precedent we have was in the House in 1883, in which the seat of Hon. Stephen F. Snyder was contested by Peter Mulvaney on the ground that Mr. Snyder was Register of Deeds at the time of his election. This was, as usual in the House, referred to the committee on elections, who, in their report, which was very complete and exhaustive, cited a long line of precedents and judicial decisions, recommending that the sitting member retain his seat, which was acquiesced in by a large majority of the House.

It has often been intimated that this question has been made a party question, democrats seating democrats and republicans seating republicans. That this is not substantiated by the precedents we would refer to the case of Edwards vs. Stone, in which the Hon. Edward E. Edwards, now Republican Senator of this State, contested the seat of Hon. Charles W. Stone, from Newaygo county, alleging as the grounds of his contest, amongst other things, that Mr. Stone, at the time of his election, held the office of county treasurer. The House was republican by a fair majority, notwithstanding which fact they, by a large vote, denied Mr. Edwards the seat.

This conclusion to a line of precedents covering a period of thirty years, and by legislators whose names have become familiar in the Congress of the United States, and on the Supreme Court bench of our State, have established a law that would never be disregarded in any of our courts. It will be hardly necessary for us to add that it ill becomes us to molest or disturb a precedent and law so firmly rooted in the legislative journals of this State.

The majority of your committee respectfully recommend the adoption of the following resolution:

*Resolved*, That Charles R. Henry, Senator-elect from the 29th Senatorial



district of this State, is entitled to the seat in the Senate which he now holds and which is now contested by James McNamara.

JAY A. HUBBELL, *Chairman.*

Report accepted.

The question being on the adoption of the resolution reported by the committee,

Pending the taking of the vote,

By unanimous consent,

The following minority report was received at this time:

The undersigned members of the judiciary committee to whom was referred the petition of James McNamara, beg leave to submit the following minority report. The petition is as follows:

*To the Honorable Body, the Senate of the State of Michigan:*

Your petitioner, James McNamara, of the city of Alpena, county of Alpena, and State of Michigan, comes before your Honorable Body and respectfully represents:

1. That he is an American-born citizen of the United States, a citizen of the State of Michigan, and is twenty-four years of age; and that at the general election held on the 4th day of November, A. D. 1884, he was a candidate for the office of State Senator for the 29th senatorial district, and that Charles R. Henry, of Au Sable, Iosco county, was also a candidate for the same office from the same district;

2. That there were eleven thousand two hundred and eighty-seven (11,287) votes cast for the office of State Senator, in the said district, of which number Charles R. Henry received five thousand seven hundred and seventy-four (5,774), and James McNamara received five thousand five hundred and nine votes (5,509);

3. That all the votes cast for Charles R. Henry for the office of State Senator are absolutely void, as your petitioner believes, for the following reason, to wit:

4. Section 6, Article 4, of the constitution of the State of Michigan, reads as follows:

“No person holding any office under the United States (or this State) or any county office, except notaries public, officers of the militia and officers elected by townships, shall be eligible to or have a seat in either house of the Legislature; and all votes given for any such person shall be void.”

5. Your petitioner therefore represents to your Honorable Body, that at the time of said general election and when the votes were cast for him for the office of State Senator, for the 29th senatorial district, the said Charles R. Henry held the office of prosecuting attorney for Iosco county subsequent to and on the 4th day of November last, upon which latter day the votes were cast for him for the office of State Senator as aforesaid.

6. That no resignation of Charles R. Henry as prosecuting attorney was filed with the county clerk of Iosco county prior to the 4th day of November, A. D. 1884, as will be seen by the annexed affidavit of E. E. Williams, county clerk of Iosco county.

7. Your petitioner respectfully submits to your honorable body that the said Charles R. Henry, holding the office of prosecuting attorney at the time the votes were cast for him for State Senator, was ineligible to receive such votes for the office of State Senator, according to the honest intent, sense, meaning, or letter of our constitution; and that all votes cast for said Henry for the office of State Senator are void.

8. Your petitioner further shows that he received a majority of all the legal votes cast for the office of State Senator, for the 29th senatorial district, and that your petitioner was duly and legally elected State Senator for said district.

9. And your petitioner prays, therefore, that in accordance with Article 4, Section 6, of the Constitution of the State of Michigan, that the votes cast for Charles R. Henry for State Senator be held void; that he be denied a seat in the Senate, and that your petitioner be declared duly elected, and be sworn in and admitted to a seat as a member of your Honorable Body.

And your petitioner will ever pray.

JAMES McNAMARA.

Charles R. Henry appeared before the committee and admitted that the facts set forth in paragraphs 1, 2, 4, 5, and 6, of the above memorial are true.

It therefore only remains for the undersigned to point out the proper interpretation of Sec. 6 of Art. 4 of the constitution. Webster defines the word "elegant" as follows: "Proper to be chosen, qualified to be elected, legally qualified, as eligible to office," and the word "void" as follows: "of no legal force or effect whatsoever, null and incapable of confirmation or ratification." It appears to us, therefore, that not only was Charles R. Henry incapable of being elected, but also that all the ballots cast for him were null and of no effect, and not votes in any correct use of that word; and that, in determining who was elected Senator from the 29th district, no further consideration should be given to the ballots cast for Charles R. Henry.

Judge Cooley (Con. Lim., p. 68) says: "The object of construction, as applied to a written constitution, is to give effect to the intent of the people in adopting it. In the case of all written laws, it is the intent of the law giver that is to be enforced; but this intent is to be found in the instrument itself.

\* \* \* That which the words declare is the meaning of the instrument, and neither courts nor legislatures have a right to add to or take away from that meaning." Again he says (p. 80): "When the inquiry is directed to ascertaining the mischief designed to be remedied, or the purpose sought to be accomplished by a particular provision, it may be proper to examine the proceedings of the convention which framed the instrument. Where the proceedings clearly point out the purpose of the provision, the aid will be valuable and satisfactory,"

References to section 6, of article 4, of the constitution, will be found in the "Convention Debates, 1850," on pages 46, 131, and 383. On page 131, Mr. Goodwin said, as to the object of this section: "As I understand it, the object is two-fold, \* \* that individuals who occupy official positions, should not use the influence of their positions to forward their object in obtaining seats in the Legislature, and perhaps be led into negligence or unfaithfulness in the performance of their duties.

This quotation plainly shows that the framers of the constitution intended to prevent persons holding office from being elected members of the legislature, so that they would not be tempted to use their office to become Senators or Representatives, and thus perhaps, be negligent or unfaithful in discharging the duties of the office which they were holding, should they become possessed of a desire to hold a seat in the Legislature.

However, let us pass from this view of our subject and examine the so-called precedents upon which our opponents rely to justify their position.

In 1881, W. G. Kirby contested the seat of Enos T. Lovell on the same ground and by a party vote, Mr. Lovell retained his seat. (Senate Journal 1881, pp. 326, 395, and 485.) Again, in 1883 in the House of Representatives, Peter Mulvaney contested the seat of Stephen F. Snyder, and Edward E. Edwards contested the seat of Charles W. Stone on substantially the same grounds as in the case before us. In both cases the sitting members retained their seats. (House Journal 1882, pp. 819 and 934.)

We admit that in many cases precedents are entitled to great weight; such as cases of mere expediency where the courts have established a line of precedents, or in cases where there was no constitutional provision or statute law on the subject; but we submit that, in a case like this, where there is a plain provision of the constitution on the subject, that no number of precedents, however great, can render the constitution obsolete.

The majority of the committee quote McCrary on elections, section 258, in regard to a contested election case in Wisconsin, but it seems to us to have no bearing on the question, for in the same paragraph McCrary says: "Thus in Wisconsin there is no statutory or constitutional provision to determine whether an alien may be elected to or hold office."

On a similar state of facts to those in this case, in 1855, B. F. Graves contested the seat of Erastus Hussey. The committee on elections reported back the petition without recommendation, and by a party vote the sitting member was kept in his seat (Senate Journal 1855, p. 154).

With regard to these violations of the Constitution we wish to quote what Mr. Conger—now Senator Conger—said in the Constitutional Convention of 1867. He said: "The Legislature from the time that Constitution was adopted, if the construction which I think belongs to it is to be given it, violated it at almost every session of the Legislature." And again: "But the expression, 'no person *shall be eligible* to or hold a seat,' etc., means that he cannot be elected to the Legislature while holding this office." (Conv. Debates, Vol. 2, p. 23.)

In discussing this question, Judge Dillon says:

"The *choice of disqualified persons* is ineffectual. Thus, if the law requires free-holders to be chosen for certain offices, the election of a person not a free-holder is void. But unless the votes for an ineligible person are expressly declared to be *void*, the effect of such a person receiving a majority of the votes cast is, according to the weight of American authority, and the reason of the matter (in view of our mode of election, without previous binding nominations, by secret ballot, leaving each elector to vote for whomsoever he pleases), that a new election must be held, and not to give the office to the qualified person having the next highest number of votes."

And in a foot note he says further: "But in Indiana the view is taken that, whether an election, because of the ineligibility of the candidate receiving the highest number of ballots is a failure, and must be held over, or whether the highest eligible candidate is elected, depends upon circumstances. 1. If the candidate receiving the highest number of votes is ineligible, but from a cause *unknown* to the voters, and which they were *not bound to know*—as, for example, infancy, want of naturalization, and the like—the result is a failure, and there must be another election. 2. If the voters know, or are bound to know, the ineligibility of a candidate, the election is not a failure, as the eligible candidate receiving the highest number of votes is *legally* elected. 3. Where the ineligibility of a candidate arises from his holding, or

having held a public office, the people within the jurisdiction of such office are held in law to know—are chargeable with notice of—such ineligibility, and votes given for such a candidate are of no effect, and his highest eligible competitor is elected.” (Dillon’s Municipal Corporations, vol. 1, p. 223.)

Section 137 of Howell’s Annotated Statutes designates the officers to be elected at a general election, and, among other officers, it mentions “the Senators and Representatives in the State Legislature.” This is a part of section 1 of act 175 of the session laws of 1851, and section 7 of the same act reads as follows :

“In elections for the choice of all officers named in the first section of this act, the persons having the greatest number of votes shall be deemed to have been duly elected.”

We therefore find that all the ballots cast for Charles R. Henry were null and that James McNamara received the greatest number of votes for the office of State Senator from the 29th Senatorial district at the general election held on the 4th day of November, A. D. 1884, and was duly elected, and we offer the following resolution.

Respectfully submitted,

T. D. HAWLEY,  
H. H. PULVER,

The question recurring on the adoption of the resolution recommended by the committee on judiciary,

Mr. Hawley offered the following substitute therefor :

*Resolved*, That by Sec. 6 of Art. 4, of the constitution, Charles R. Henry is disqualified from holding a seat as Senator from the 29th senatorial district, and that all the votes cast for the said Charles R. Henry were void, and that, therefore, James McNamara is entitled to the seat now held by said Charles R. Henry.

Mr. Hawley called for the yeas and nays on the question of agreeing to the substitute.

The substitute was then not agreed to by yeas and nays as follows :

#### YEAS.

Mr. Cline,	Mr. Davis,	Mr. Manwaring,	Mr. Sherwood,	
Curtiss,	Hawley,	Pennell,	Shoemaker,	
Davenport,	Heisterman,	Pulver,		11

#### NAYS.

Mr. Austin,	Mr. Carveth,	Mr. Monroe,	Mr. Smith, S. W.,
Belknap,	Edwards,	Moon,	Spencer,
Brown,	Hubbell,	Phelps,	Stephenson,
Carpenter,	Kempf,	Smith, G. A.,	Woodruff, 16

The question being on the adoption of the resolution recommended by the committee on the judiciary,

Mr. Hawley called for the yeas and nays.

The resolution was then adopted by yeas and nays as follows ;

#### YEAS.

Mr. Austin,	Mr. Carveth,	Mr. Monroe,	Mr. Smith, S. W.,
Belknap,	Edwards,	Moon,	Spencer,
Brown,	Hubbell,	Phelps,	Stephenson,
Carpenter,	Kempf,	Smith, G. A.,	Woodruff, 16

## NAYS.

Mr. Cline,	Mr. Davis,	Mr. Manwaring,	Mr. Sherwood,
Curtiss,	Hawley,	Pennell,	Shoemaker,
Davenport,	Heisterman,	Pulver,	11

The President announced that Hon. Charles R. Henry, sitting member from the twenty-ninth senatorial district, was entitled to hold his seat uncontested.

By unanimous consent,

Mr. Hawley moved that the Secretary be instructed to send a respectful message to the House requesting the return to the Senate of the following preamble and concurrent resolution, which the Senate yesterday concurred in:

WHEREAS, It is important that the various institutions of the State be visited by the respective committees appointed for that purpose at an early day, and

WHEREAS, It is important that all members of the Legislature be present during the regular sessions; therefore

*Resolved by the House of Representatives* (the Senate concurring), That when the Legislature adjourns at the close of this week it stand adjourned until Tuesday, the 10th day of February, at 10 o'clock in the forenoon of said day, and that during such recess the respective committees attend to the duty of visiting said institutions and preparing their reports;

Which motion prevailed.

## MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 30, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 2 (File No. 4), entitled

A bill to regulate the employment of children, young persons, and women in certain cases;

2. House bill No. 48 (File No. 9), entitled

A bill to amend section 1 of chapter 178 of the compiled laws of 1871, entitled "An act to amend chapter 93 of the revised statutes of 1846, entitled 'of courts held by justices of the peace,'" the same being section 6814 of Hewoll's Annotated Statutes;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on labor.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 29, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

## 1. House bill No. 79, entitled

A bill to reincorporate the village of Coopersville under the law of 1875;

## 2. House bill No. 157, entitled

A bill to incorporate the village of Harrison, in Clare county;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The second named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 29, 1885. }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 41, entitled

A bill to incorporate the village of West Branch, in Ogemaw county;

Which has passed the House, by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and

On motion of Mr. Henry,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hueston,	Mr. Pulver,
Belknap,	Davis,	Kempf,	Sherwood,
Brown,	Edwards,	Manwaring,	Smith, G. A.,
Carpenter,	Hawley,	Munroe,	Smith, S. W.,
Carveth,	Heisterman,	Moon,	Spencer,
Cline,	Henry,	Pennell,	Stephenson,
Curtiss,	Hubbell,	Phelps,	Woodruff, 28

## NAYS.

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Title agreed to.

On motion of Mr Henry,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The President also announced the following:

HOUSE OF REPRESENTATIVES, {  
Lansing, Jan. 30, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 73, entitled

A bill to correct the records and legalize the proceedings had in laying out certain drains in the township of Warren, in the county of Midland;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, {  
Lansing, Jan. 30, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 36 (File No. 18), entitled

A bill to amend section 8 of chapter 179 of Compiled Laws of 1871, being compiler's section 5532, relative to criminal proceedings before justices of the peace;

2. House bill No. 38 (File No. 21), entitled

A bill to repeal an act entitled "An act to provide for the prevention and punishment of horse stealing," approved May 9, 1877, being act No. 102 of the public acts of 1877;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, {  
Lansing, January 30, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 126, entitled

A bill to provide for the payment of the expenses of the Michigan Exhibit at the New Orleans Exposition;

Which has passed the House by a two-thirds majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committees on State affairs and appropriations, jointly.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 30, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 92, entitled

A bill to incorporate the village of Fowler, in the county of Clinton;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and

On motion of Mr. Pennell,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hueston,	Mr. Pulver,
Belknap,	Davis,	Kempf,	Sherwood,
Brown,	Edwards,	Manwaring,	Shoemaker,
Carpenter,	Hawley,	Monroe,	Smith, G. A.,
Carveth,	Heisterman,	Moon,	Smith, S. W.
Cline,	Henry,	Pennell,	Spencer,
Curtiss,	Hubbell,	Phelps,	Stephenson, 28

NAYS.

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Title agreed to.

On motion of Mr. Pennell,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 30, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to re-transmit the following concurrent resolution:

WHEREAS, It is important that the various institutions of the State be visited by the respective committees appointed for that purpose at an early day;

AND WHEREAS, It is important that all members of the Legislature be present during the regular sessions thereof; therefore

*Resolved by the House of Representatives* (the Senate concurring), That when the Legislature adjourn at the close of this week it stand adjourned until Tuesday, the 10th day of February, at 10 o'clock in the forenoon of said day, and that during such recess the respective committees attend to their duty of visiting said institutions and prepare their reports;

In accordance with the request of the Senate for the same.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*



On motion of Mr. Hawley,

The vote by which the Senate concurred in the adoption of the resolution was reconsidered.

The question being on concurring in the adoption of the resolution,

Mr. Hawley moved to amend the concurrent resolution by striking out the words "at the close of this week," and substituting in lieu thereof the words "Friday afternoon, January 30;"

Which motion prevailed.

The Senate then concurred in the adoption of the resolution as amended.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Jan. 29, 1885.

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 68 (File No. 32), entitled

A bill to incorporate the village of Quincy;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and

On motion of Mr. G. A. Smith,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and pending the taking of the vote thereon,

On motion of Mr. Manwaring,

The bill was referred to the committee on cities and villages.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 30, 1885.

*To the President of the Senate:*

SIR,—I am instructed by the House to transmit the following bill:

House bill No. 96 (File No. 28,) entitled

A bill to amend section one of act No. 251 of the session laws of 1881, being section 2198 of Howell's Annotated Statutes;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on State affairs.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, January 30, 1885.

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

Substitute for Senate bill Nos. 85 and 86, entitled

A bill to prohibit justices of the peace from sentencing or committing any person to the State house of correction and reformatory at Ionia;

And to inform the Senate that the House has amended the bill as follows:

By striking out the entire section 1 and inserting in lieu thereof the following, to stand as section 1:

SECTION 1. *The People of the State of Michigan enact*, That no justice of the peace, or judge, or justice of any police court, shall sentence or commit any person to the State House of Correction and Reformatory at Ionia who may be convicted of the crime or offense of being disorderly, of being drunk, or of vagrancy, or for any violation of the provisions of chapter 53 of the compiled laws of 1871 relative to disorderly persons, as amended by act 136 session laws of 1883, or for the larceny of a less sum than five dollars;

And to further inform the Senate that the House has amended the title to the same so as to read as follows:

A bill to prohibit justices of the peace or any judge or justice of any police court from sentencing or committing persons to the State House of Correction and Reformatory at Ionia, in certain cases;

In the passage of which, as thus amended, with title thus amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take effect on the 10th day of February, A. D. 1885, by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

Mr. G. A. Smith moved that the Senate concur in the amendments made to the bill by the House;

Which motion prevailed, by yeas and nays as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Kempf,	Mr. Sherwood,
Belknap,	Edwards,	Manwaring,	Shoemaker,
Brown,	Hawley,	Monroe,	Smith, G. A.,
Carpenter,	Heisterman,	Moon,	Smith, S. W.,
Carveth,	Henry,	Pennell,	Spencer,
Cline,	Hubbell,	Phelps,	Stephenson,
Davenport,	Hueston,	Pulver,	Woodruff, 28

#### NAYS.

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On motion of Mr. Henry,

The Senate agreed to the amendment made by the House to the title of the bill.

On motion of Mr. G. A. Smith,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take effect February 10, 1885.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, January 30, 1885. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following concurrent resolution with preamble:

WHEREAS, It is important that the various institutions of the State be visited by the respective committees appointed for that purpose at an early day;

AND WHEREAS, It is important that all members of the Legislature be present during the regular sessions thereof; therefore

*Resolved by the House of Representatives* (the Senate concurring), That when the Legislature adjourn at the close of this week it stand adjourn until Tuesday, the 10th day of February, at 10 o'clock in the forenoon of said day, and that during such recess the respective committees attend to their duty of visiting said institutions and prepare their reports;

Which the Senate this day amended by striking out the words "at the close of this week" and inserting in lieu thereof the words "Friday afternoon, January 30;"

Now to inform the Senate that in such amendment the House concurs.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The message was laid on the table.

#### NOTICES.

Mr. Shoemaker gave notice that on some future day he would ask leave to introduce

A bill to amend section 41 of chapter 150 of the compiled laws of 1871, being section 5701 of Howell's Annotated Statutes, relative to discharge of mortgages.

Mr. Manwaring gave notice that on some future day he would ask leave to introduce

A bill to indemnify counties for the expense of trials of appeals to circuit courts from judgments rendered by justices of the peace in civil suits in certain cases.

Mr. Austin gave notice that on some future day he would ask leave to introduce

A bill to authorize the specific performance by guardians and incompetent persons, of contracts made by their wards for the conveyance of real estate.

Mr. Kempf gave notice that on some future day he would ask leave to introduce

A bill making an appropriation for furnishing and providing apparatus for the Northern Asylum for the Insane, at Traverse City, Michigan.

Mr. Austin gave notice that on some future day he would ask leave to introduce

A bill to revise the laws providing for the incorporation of all manufacturing companies, except such as are contemplated by act No. 42 of the Session Laws of 1867 (which provides for the incorporation of persons or corporations engaged in the manufacture of salt), and mercantile companies, or any union of the two, and to fix the duties and liabilities of such corporations.

Mr. Kempf gave notice that on some future day he would ask leave to introduce

A bill to amend sections 15, 16, and 17, as amended by act No. 207 of the public acts of 1879, (being sections 3377, 3378, and 3379 of Howell's Annotated Statutes), article 4, act No. 198 of the session laws of 1873, entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties

and liabilities of all railroads and other corporations owning or operating any railroad in this State," approved May 3, 1873.

#### MOTIONS AND RESOLUTIONS.

Mr. Hawley offered the following resolution :

*Resolved*, That each one of the several committees on State institutions be and they are hereby instructed to report to the Senate at as early a day as practicable the average daily attendance of the inmates of the institution, and the average daily cost to the State for each inmate of the following items: Fuel, books, furniture, food, amusements, bedding, salaries, light, medicine, and clothing; and the total daily average cost of maintenance;

Which was adopted.

By unanimous consent the Senate returned to the order of

#### PRESENTATION OF PETITIONS.

No. 44. By Mr. Edwards: Petition of C. I. Rathbun and 39 others, asking for the passage of a bill granting to every soldier of the late war enlisting or reënlisting in any Michigan regiment or battery \$100 bounty, deducting therefrom the State bounty already received;

Referred to the committee on military affairs.

#### INTRODUCTION OF BILLS.

Mr. Moon, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 10, entitled

A joint resolution for the payment of expenses incurred in examinations of charges against Nelson Delong, mayor of the city of Muskegon.

The joint resolution was read a first and second time by its title, and referred to the committee on the judiciary and appropriations and finance jointly.

Mr. G. A. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 100, entitled

A bill to amend sections 12, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 46, 47, 48, 49, 52, 53, 55, 63, 64, 65, 68, and 69 of act No. 9 of the session laws of 1882, approved March 14, 1882, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon."

The bill was read a first and second time by its title, and

On motion of Mr. G. A. Smith,

The bill was ordered printed, and referred to the joint select committee on taxation.

Mr. Curtiss, previous notice having been given and leave being granted, introduced

Senate bill No. 101, entitled

A bill to amend compiler's section 2376, of the compiled laws of 1871, the same being 3443 of Howell's Annotated Statutes of Michigan, relative to cutting and destroying noxious weeds on lands occupied by railroads.

The bill was read a first and second time by its title and referred to the committee on railroads.

Mr. Davenport, previous notice having been given and leave being granted, introduced.

Senate bill No. 102, entitled

A bill to prevent crime and to punish truancy.

The bill was read a first and second time by its title and referred to the committee on education and public schools.

Mr. Davenport, previous notice having been given and leave being granted introduced

Senate bill No. 103, entitled

A bill to amend section 18 of chapter 266, of the Compiled Laws of 1871, being section 9651 of Howell's Statutes relative to county jails and regulations thereof.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

On motion of Mr. Davenport,

The Senate adjourned.

The President announced that in accordance with the terms of the concurrent resolution, this day adopted, the Senate would stand adjourned until February 10, at 10 o'clock A. M.

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*Lansing, Tuesday, February 10, 1885.*

The Senate met and was called to order by the President at 10 o'clock A. M.  
Prayer by the Rev. Geo. Taylor.

Roll called: not a quorum present.

Absent without leave: Senators Belknap, Brown, Carveth, Cline, Curtiss, Davenport, Davis, Francis, Greiner, Hertzler, Moon, Pulver, G. A. Smith, Spencer, Stephenson, and Woodruff.

On motion of Mr. Austin,

The Senate adjourned.

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*Lansing, Wednesday, February 11, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.

Roll called: a quorum present.

Absent without leave, Senators Brown, Carveth, Cline, Curtiss, Greiner, Moon, G. A. Smith, and Stephenson.

Mr. Hubbell asked and obtained leave of absence for all absentees for the day.

#### PETITIONS.

No. 45. By Mr. Belknap: Memorial of Mrs. S. W. Fowler, Secretary of the State Equal Suffrage Association, in reference to municipal suffrage for women.

On motion of Mr. Belknap,

The memorial was ordered printed in the Journal, and referred to the committee on the judiciary.

The following is the memorial :

GENTLEMEN—I have the honor, in behalf of myself and the women of Michigan, whom in part I represent, to most humbly but earnestly request the passage of the bill now pending before you, to allow women to vote at municipal elections.

Blackstone defines municipal law to be “a rule of civil conduct, prescribed by the supreme power of a State.”

In a more restricted sense, “municipal” is said to relate to corporate cities or towns, and this bill is intended to enable women to vote in city and township elections.

The Fourteenth Amendment, Constitution of the United States, declares that “all persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.”

This establishes that:

1. Women are citizens.
2. No State shall make or enforce any law which shall abridge the privileges or immunities of women as citizens.
3. No State shall deprive her of liberty or property without due process of law.
4. She cannot be denied the equal protection of the laws.

And yet you take her property by taxation and deny her all representation.

You deprive her of liberty and send her to prison under laws she had no voice in enacting.

You abridge her rights as a citizen of the United States by denying her all voice or representation in the enactment of the laws that govern her, her children, and her property.

You enforce taxation without representation, and imprison her and her children under laws as foreign to her as those of King George the Third were to the American colonies.

All this is certainly in conflict with the spirit of this amendment, and many of the best legal minds of the nation believe that this amendment is broad enough in itself to secure the equal right of suffrage to women citizens.

Women are as much interested in taxation and in good government as are men; and they are quite as intelligent and patriotic, and certainly as honest and conscientious.

The great barrier thus far, has been the assertion that it is unconstitutional to allow women to vote. Let us see; a State constitution is a limiting, not a granting power. All powers rest with the people, except such as are prohibited by the constitution; and there is not a word in our constitution prohibiting the people from granting suffrage to one-half their number.

#### IS IT CONSTITUTIONAL.

Any act “not prohibited by the express words of the constitution, or by necessary implication, cannot be declared void as a violation of that instrument.”

Sears vs. Cottrell, 5th Mich., 251.

Twitchell vs. Blodgett, 13th Mich., 127, and 174 to 186.

"In case of doubt, every possible presumption, not clearly inconsistent with the language and subject matter, is to be made in favor of the constitutionality of State Legislation."

Same, 5th Mich., 251, and 13th Mich., 182 to 186.

25 Mich., 89.

If municipal suffrage to women would be unconstitutional, then is the law allowing them to vote at school meetings unconstitutional. That is a part of municipal suffrage, and quite as important a part as that of voting at town meetings.

Once admit that the Legislature has power to grant suffrage at all in municipal affairs, to women, and you admit that they have the power to grant in full. And this is admitted in the act giving them municipal suffrage at school meetings.

The power you undoubtedly have, and in giving them a vote at school meetings you admit that you have it, and you must find some other pretext for the refusal, or admit you are wrong if you defeat the measure.

Do you say the husband represents the wife at the ballot box? Then who represents him?—he has no more votes than a single man; and if one person is entitled to one vote, how can one vote represent two?

Again, who represents widows and maiden ladies, and there are thousands of them who pay taxes and have neither father or brother? If men represent women at the ballot box, they should represent them at the tax office, in prisons and at the gallows. It is unutterably small to tax and punish women and then deny them all voice in the laws that govern them.

Taxation without representation is tyranny!

Do you say they do not want the ballot? What of that? You did not stop to ask the Indian, the foreigner, or the negro if he wanted the ballot, and are your wives and daughters entitled to less consideration at your hands than Indians and negroes?

This is a matter of absolute right, not of choice, to be denied or granted at the mere whim or caprice of the sex that assume to be absolute masters, instead of associates, companions, and equals. In Manistee, at the last school meeting there were more women than men who voted.

All men do not vote, yet this is no reason for excluding those who desire it from voting.

"But women cannot bear arms,"—perhaps not, some kind of arms. All men do not bear arms, but who ever heard of disfranchising men because they are too old, too infirm, or too cowardly to go into the army.

Such men are allowed to vote, and sometimes are given office, and in the late campaign both of the leading candidates were entirely innocent of the smell of powder, and yet one of them was elected President of the United States.

There is no good reason why women should not vote as well as men; and a man stultifies his good sense, and but adds insult to injury by denying that the women of Michigan are not as much entitled to this fundamental right of a voice in the laws that govern them as the black man of the South, or the besotted drunkard of the North. Let me appeal to you then, as lovers of justice, as brave men, men who have solemnly sworn to do their whole duty, to lay aside all bigotry and prejudice, and vote to at least give full

municipal suffrage to the best half of the intelligent good citizens of our beloved and beautiful peninsular State; and generations yet unborn will rise up and call you blessed.

No. 46. By Mr. Belknap: Petition of Mrs. Christian D. Barghoom and 30 others, citizens of Lake county, asking for municipal suffrage for woman; Referred to committee on the judiciary.

No. 47. By Mr. Sherwood: Resolution of Berrien County Grange No. 1, relative to the Reagan Inter-State Commerce bill now before Congress;

Referred to committee on federal relations.

No. 48. By Mr. Hawley: Remonstrance of O. F. Hall and 45 others, citizens of Hamtramck, against being annexed to Detroit;

No. 49. By the same: Petition of Chris. Damito and J. V. Ruehle, and 31 other freeholders of Hamtramck, in favor of annexing that portion of said township to the city of Detroit described in Senate bill No. 23, introduced by Senator Hawley;

No. 50. By the same: Petition of F. J. Stahl and 37 other freeholders of the same place for the same object;

No. 51. By the same: Petition of Henry Bloss, Chas. Detloff, and 9 other freeholders of the same place for the same object;

No. 52. By the same: Petition of Rudolph Hinze and 17 others, of the same place, for the same object;

No. 53. By the same: Petition of August Kalthoff and 12 others, of the same place, for the same object;

No. 54. By the same: Petition of William Kouse and 8 others of the same place for the same object.

No. 55. By the same: Petition of Lawrence Dalton and 11 others of the same place for the same object.

No. 56. By the same: Petition of Henry C. Engle and 5 others of the same place for the same object.

Petitions No. 48-56 inclusive were referred to the committee on cities and villages.

No. 57. By Mr. Phelps: Petition of James D. Bennett and 89 others, citizens of Wexford county, asking for a law to prevent hunting deer with dogs.

No. 58. By the same: Petition of N. A. Stoddard and 35 others, citizens of Oscoda county, for the same object.

No. 59. By the same: Petition of George E. Thomas and 158 others of Oscoda county for the same object.

No. 60. By the same: Petition of D. A. Hastings and 45 others, citizens of Osceola county for the same object.

The four petitions last named were referred to the committee on State affairs.

No. 61. By Mr. Phelps: Petition of J. M. Clark and 63 others, citizens of Michigan, asking for legislation in the interest of labor;

Referred to the committee on labor.

No. 62. By Mr. Davenport: Petition of Thomas W. Newrick and 96 others to prohibit the manufacture and sale of butterine, etc.;

Referred to committee on State affairs.

No. 63. By Mr. Shoemaker: Petition of Alonzo McCain and Walter A. Higgins for an amendment of the school law to enable non-resident scholars to have credit on school bill to amount of tax paid by parent and guardian in district;

Referred to committee on education and public schools.



No. 64. By Mr. Shoemaker: Petition of John E. Tyrrell, Captain, P. J. Delehanty, 1st Lieut., J. C. McCabe, 2d Lieut., Company G, Light Artillery, Fourth Regiment, Michigan State Troops,

John Gaebelein, Captain, W. D. Lombard, 1st Lieut., S. E. Taylor, 2d Lieut., Company G, First Regiment M. S. Troops,

Samuel Mettler, Captain, C. H. Bennett, 1st Lieut., P. B. Loomis, 2d Lieut., Jackson Guards,

E. C. Lombard, Captain, W. J. Beeley, 1st Lieut., Carl Johnson, 2d Lieut., City Grays,

George M. Devlin, George S. White, Perry W. Green, Cavalry Company, Joseph Mabley, Mayor, Sanford Hunt, President of the Council, and numerous other citizens of Jackson, asking that an appropriation be made from the Military Fund to erect an armory, one story in height, for the accommodation of the above named companies;

Referred to the committees on military affairs and appropriations and finance.

No. 65. By Mr. Shoemaker: Memorial of T. McKinnon Hull and the Brook Oil Company relative to inspection of refined petroleum oil;

Referred to the committee of State affairs.

No. 66. By Mr. Shoemaker: Memorial of George S. White, Charles W. Fowler, and Perry Green, committee of the Jackson cavalry, asking for the granting of State aid to independent military companies;

Referred to the committees on military affairs and appropriations and finance jointly.

#### REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate bill No. 48, entitled

A bill to authorize the Oakland county agricultural society to issue bonds and to mortgage its real and personal property to secure the same.

J. W. BELKNAP, *Chairman*.

Report accepted.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Substitute for Senate bills Nos. 85 and 86, entitled

A bill to prohibit justices of the peace, or any judge or justice of any police court from sentencing or committing persons to the State House of Correction and Reformatory at Ionia in certain cases.

J. W. BELKNAP, *Chairman*.

Report accepted.

By the committee on the institution for the deaf and dumb:

The committee on the institution for the deaf and dumb, in compliance with a resolution of the Senate of January 30, asking "That each one of the several committees on State institutions be and they are hereby instructed to report to the Senate at as early a day as practicable the average daily attendance of the inmates of the institution, and the average daily cost to the State for each inmate of the following items: Fuel, books, furniture, food, amusements, bedding, salaries, light, medicine, and clothing; and the total daily average cost of maintenance;"

Would respectfully submit the following statement, showing the average daily attendance, and the yearly and daily cost per pupil for the two years ending September 30, 1884:

Average daily attendance.....		253
	Per Year.	Per Day.
For fuel.....	\$24 78	\$0 06 $\frac{3}{4}$
groceries.....	10 77	03
meat and fish.....	18 12	05
vegetables.....	3 00	00 $\frac{1}{4}$
flour and meal.....	6 23	01 $\frac{3}{4}$
butter, lard, and milk.....	11 87	03 $\frac{1}{2}$
bedding.....	1 52	00 $\frac{3}{4}$
medicines.....	1 27	00 $\frac{1}{2}$
furniture.....	4 19	01 $\frac{1}{2}$
lights.....	7 44	02
general salaries.....	47 65	13
teachers' salaries.....	31 13	08 $\frac{1}{4}$
entire cost (current expenses).....	176 68	48 $\frac{1}{4}$
school books, etc.....	85	00 $\frac{1}{4}$

J. W. BELKNAP, *Chairman*.

The report was accepted and committee discharged.

By the committee on industrial home for girls:

The committee on industrial home for girls, in accordance with the following resolution of the Senate, adopted January 30:

*Resolved*, That each one of the several committees on State institutions be and they are hereby instructed to report to the Senate at as early a day as practicable the average daily attendance of the inmates of the institution, and the average daily cost to the State for each inmate of the following items: Fuel, books, furniture, food, amusements, bedding, salaries, light, medicine, and clothing, and the total daily average cost of maintenance;

Beq leave to submit the following report, giving averages from fiscal year 1883-4 as to numbers and expenses:

Average daily attendance.....	147
Average daily cost per inmate of fuel.....	.0574
Average daily cost per inmate of books.....	.0041
Average daily cost per inmate of furniture.....	.0123
Average daily cost per inmate of food.....	.0906
Average daily cost per inmate of amusements.....	.0000
Average daily cost per inmate of salaries.....	.1495
Average daily cost per inmate of light.....	.0092
Average daily cost per inmate of medicines.....	.0048
Average daily cost per inmate of bedding and clothing.....	.0674

Total daily cost per inmate of maintenance.....	.3953
Or total average daily cost per inmate for all current expenses.....	.4894

All of which is respectfully submitted.

CHAS. AUSTIN, *Chairman*.

The report was accepted and committee discharged.

By the committee on judiciary:

The committee on judiciary to whom was referred

House bill No. 73, entitled

A bill to correct and legalize the proceeding had in laying out certain drains in the township of Warren in the county of Midland,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on supplies and miscellaneous expenses of the Senate:

The committee on supplies and miscellaneous expenses of the Senate, report the following bill:

Michigan Senate, in acct. with Michigan Congress Water Co.:

Jan. 31, 1885. To supplying Michigan Congress water 15 times, \$15.00.

For material furnished under direction of the Sergeant-at-arms of the Senate, which they have had under consideration, and directed by me to report the same to the Senate, and recommend its allowance, and ask to be discharged from the further consideration of the subject.

HENRY WOODRUFF, *Chairman.*

Report accepted.

On motion of Mr. Hawley,

The report was adopted.

By the committee on banks and incorporations:

The committee on banks and incorporations to whom was referred

Senate bill No. 96, entitled

A bill to amend section 2 of act No. 43 of the general laws of 1867, entitled "An act to provide for the formation of corporations for establishing health institutions," approved March 13, 1867, being section 3026 of the compiled laws of 1871, being section 4801 of Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. J. MONROE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations to whom was referred

Senate bill No. 95, entitled

A bill to amend section 3, of act No. 97, of the general laws of 1861, entitled "An act to provide for the incorporation of associations for the publication of periodicals, newspapers, books, tracts, documents, and other publications," approved March 7, 1861, as amended by act No. 317 of the general laws of 1865, being section 3180 of the compiled laws of 1871, being section 4198 of Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment,

and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. J. MONROE, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,  
*Detroit, January 31, 1885.*

*To the Senate :*

I have this day approved, signed, and deposited in the office of the Secretary of State,

The Senate concurrent resolution requesting our Senators and Representatives in Congress to use their best endeavors to secure such legislation by Congress as will result in the United States acquiring the title to and the ownership of the ship canals connecting the waters of Keweenaw bay, by way of Portage lake, with the waters of Lake Superior, in the upper peninsula of Michigan ;

Also,

An act to prohibit justices of the peace, or any judge or justice of any police court, from sentencing or committing persons to the State House of Correction and Reformatory at Ionia in certain cases.

R. A. ALGER,  
*Governor.*

The message was laid on the table.

MESSAGES FROM THE HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES,  
*Lansing, Feb. 11, 1885.*

*To the President of the Senate :*

SIR:—I am instructed by the House to transmit the following concurrent resolution :

*Resolved by the House of Representatives* (the Senate concurring), That 700 copies, in addition to the number provided for by law, of the annual report of the State Board of Fish Commissioners for the years 1883-4, be allowed said commission for distribution among the fishermen and other interested parties in the State, and that the State Board of Auditors be and are hereby directed to audit and allow the bill for printing the same ;

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

Mr. Edwards moved that the Senate concur.

Mr. Manwaring moved that the further consideration of the concurrent resolution be postponed for one day ;

Which motion prevailed.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, Feb. 10, 1885.* }

*To the President of the Senate:*

SIR—I am intrusted by the House to transmit the following bill:

House bill Nos. 56 and 97 (File No. 27), entitled

A bill to amend act No. 29 session laws of 1881, being section 2199 of Howell's Annotated Statutes, relative to killing quail;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on State affairs.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 10, 1885.* }

*To the President of the Senate:*

SIR,—I am instructed by the House to transmit the following bills:

1. House bill 75 (File No. 31), entitled

A bill to amend section 3, chapter 163, of the compiled laws of 1871, being section 6027, of Howell's Annotated Statutes, relative to sale of lands for the payment of debts, by executors, administrators, and guardians;

2. House bill No. 81 (File No. 30), entitled

A bill to amend section 5, chapter 160, of the compiled laws of 1871, being section 5967, of Howell's Annotated Statutes, relative to the partition and distribution of estates;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, Feb. 11, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 94 (File No. 40), entitled

A bill to amend section 2 of chapter 109 of the revised statutes of 1846, being section 6267 of the compiled laws of 1871, relative to partition of lands owned by several persons;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 11, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 98 (File No. 41), entitled

A bill to amend section 1 of act No. 95 of the session laws of 1873, compiler's section of Howell's Compilation of Laws of Michigan, No. 6809, being an act relative to the duties of judges of probate in certain cases;

2. House bill No. 3 (File No. 47), entitled

A bill to vacate a part of the township of Hamtramck, in the county of Wayne, and to annex the same to the city of Detroit, said county;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 11, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 102 (File No. 36), entitled

A bill to amend section 1 of act No. 157 of the session laws of 1881, being section 4309 of Howell's Annotated Statutes entitled "An act to authorize the incorporation of a Michigan Millers' Mutual Fire Insurance Company;"

2. House bill No. 32 (File No. 49), entitled

A bill for the formation of corporations for the cultivation of art;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on insurance.

The second named bill was read a first and second time by its title, and

On motion of Mr. Hawley,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,  
Belknap,  
Carpenter,

Mr. Francis,  
Hawley,  
Heisterman,

Mr. Hueston,  
Kempf,  
Manwaring,

Mr. Pulver,  
Sherwood,  
Shoemaker,

Mr. Davenport,  
Davis,  
Edwards,

Mr. Henry,  
Hertzler,  
Hubbell,

Mr. Monroe,  
Pennell,  
Phelps,

Mr. Smith, S. W.,  
Spencer,  
Woodruff, 24

NAYS.

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Title agreed to.

On motion of Mr. Hawley,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
*Lansing, February 11, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 101 (File No. 38) entitled a bill requiring parties to civil suits in circuit courts to file a bill of particulars of their respective demands in certain cases;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
*Lansing, February 11, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following joint resolutions:

1. House joint resolution No. 9 (File No. 6), entitled

Joint resolution authorizing the Governor and military board to allow the Soldiers and Sailors' Association of central Michigan the use of tents and apparatus belonging to the State;

2. House joint resolution No. 11 (File No. 5), entitled

Joint resolution requesting our Senators and Representatives in Congress to use their best endeavors to secure such legislation by Congress as will result in the establishment of a harbor of refuge at Ludington, and also secure an appropriation for that purpose in consonance with a report of the board of engineers detailed by the war department at Washington for that purpose.

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The first named joint resolution was read a first and second time by its title, and referred to the committee on military affairs.

The second named joint resolution was read a first and second time by its title, and referred to the committee on federal relations.

## NOTICES.

Mr. Hubbell gave notice that on some future day he would ask leave to introduce

A bill to amend section 27 compiled laws of 1871, being section 7694 of Howell's Annotated Statutes relative to adjournment of sales of real estate on execution;

Also,

A bill to amend section 3 of act No. 193 of the session laws of 1867, being section 8018 and following section of Howell's Annotated Statutes relative to proceedings in attachment.

Also,

A bill to amend act No. 11 of the Session Laws of 1877 relative to obstructing the operation and business of railroad companies and other corporations, firms, and individuals, being sections 9274, 9275, and 9276 of Howell's Annotated Statutes.

Mr. Manwaring gave notice that on some future day he would ask leave to introduce

A bill to repeal act No. 129 of public acts of 1883, entitled "An act to regulate the width of wagon tires to be used on lumber wagons;"

Also,

A bill to amend section No. 9 of act No. 144 of public acts of 1883, entitled "An act to provide for the compulsory education of children in certain cases."

Mr. Heisterman gave notice that on some future day he would ask leave to introduce

A bill to prohibit the levying of highway and drain taxes on the islands in Saginaw Bay.

Mr. Manwaring gave notice that on some future day he would ask leave to introduce

A bill to prevent the sale of tobacco to minors.

Mr. Davis gave notice that on some future day he would ask leave to introduce

A bill to amend section five hundred and fifty-two of the compiled laws of eighteen hundred and seventy-one, being section five hundred and eighty of Howell's Annotated Statutes, relative to the appointment of deputy sheriffs.

Mr. Pulver gave notice that on some future day he would ask leave to introduce

A bill to prevent local discriminations in freights by railroads.

Mr. Francis gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Frankfort;

Also,

A bill to incorporate the village of Boyne City.

Mr. Austin gave notice that on some future day he would ask leave to introduce

A bill to amend sections 21, 22, 23, 24, 29, 30, 32, 33, 35, 43, 49, 59, and 60 of an act entitled "An act to revise and amend the charter of the city of Battle Creek," approved April 3, 1879, and to repeal section 34 of said act;

Also,

A bill to incorporate the public schools in the village of Albion.

Mr. S. W. Smith gave notice that on some future day he would ask leave to introduce



A bill to provide for the appointment and maintenance of county game and fish wardens.

Mr. Hawley gave notice that on some future day he would ask leave to introduce

A bill making an appropriation for the purchase of books for the State Library, and for other purposes;

Also,

A bill to amend section 14 of an act entitled "An act relating to burying grounds," approved February 12, 1855, being section 4741 of Howell's Annotated Statutes, and to add a new section to said act;

Also,

A bill requiring all State institutions to submit their estimates of current expenses to the State Board of Corrections and Charities;

Also,

A bill to provide for a uniform system of book-keeping by all State institutions.

Mr. Hawley gave notice that on some future day he would ask leave to introduce

A bill to amend section 5935 of the compiled laws of 1871, being section 7508 of Howell's Annotated Statutes, relative to printed copies of laws, etc., of other States;

Also,

A bill to amend act No. 28 of the session laws of 1877, approved March 9, 1877, entitled "An act to provide for the appointment of an assistant prosecuting attorney for the county of Wayne," by adding a new section thereto, to stand as section 7.

Mr. Davenport gave notice that on some future day he would ask leave to introduce

A bill to amend section 7612 of compiled laws of 1871, relative to the protection of land and punishment for cutting and carrying away timber therefrom.

#### MOTIONS AND RESOLUTIONS.

Mr. Hubbell offered the following resolution:

*Resolved*, That all amendments proposed by committees to Senate bills shall, when concurred in by the Senate, be printed in *italics*.

Which was adopted.

Mr. Henry offered the following resolution:

*Resolved*, That the following bills, viz.:

1. Senate bill No. 61, entitled

A bill to provide for the finding and return of verdicts by a less number than twelve jurors, in the trial of civil cases, in courts of record in this State,

2. Senate bill No. 62, entitled

A bill to provide for the finding and return of verdicts by a less number than six jurors in trial of cases in justices' courts in this State,

3. Senate bill No. 87, entitled

A bill to amend section 5543 of the compiled laws of 1871, being section 7102 of Howell's Annotated Statutes, relative to appeals from the judgment of justices in criminal cases in justices' courts,

Be taken from the table, ordered printed and placed upon the general order and referred to the committee of the whole;

Which was adopted.

Mr. Woodruff offered the following resolution :

*Resolved*, That the Sergeant-at-Arms be and he is hereby instructed to cause double windows to be put in the windows of committee rooms A, E, and F ;

Which was adopted.

Mr. Manwaring offered the following resolution :

*Resolved*, That hereafter the daily sessions of the Senate commence at 10 o'clock A. M., until otherwise ordered.

Mr. Hubbell moved that the further consideration of the resolution be postponed for one day ;

Which motion prevailed.

#### INTRODUCTION OF BILLS.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 104, entitled

A bill to amend section 41 of chapter 150 of the compiled laws of 1871, being section 5701 of Howell's Annotated Statutes, relative to discharge of mortgages.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 105, entitled

A bill to authorize the specific performance by guardians and incompetent persons, of contracts made by their wards for the conveyance of real estate.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Davenport, previous notice having been given and leave being granted, introduced

Senate bill No. 106, entitled

A bill to amend section one of act No. 198 of the session laws of 1879, entitled "An act to provide for the regulation and enforcement of assignments for the benefit of creditors, approved May 13, 1879, being section 8739 of Howell's Annotated Statutes of Michigan, and to add two new sections to said act to stand as sections 12 and 13.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Kempf, previous notice having been given and leave being granted, introduced

Senate bill No. 107, entitled

A bill making an appropriation for furnishing and providing apparatus for the Northern Asylum for the Insane, at Traverse City, Michigan.

The bill was read a first and second time by its title, and referred to the committees on appropriations and finance, and northern asylum for the insane.

Mr. Kempf, previous notice having been given and leave being granted, introduced

Senate bill No. 108, entitled

A bill to amend sections 15, 16, and 17 as amended by act No. 207 of the public acts of 1879, being sections 3377, 3378, and 3379 of Howell's Annotated Statutes, article 4, act No. 198 of the session laws of 1873, entitled "An

act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities of all railroads and other corporations owning or operating any railroad in this State," approved May 3, 1873.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Hubbell, previous notice not having been given and leave being granted, introduced

Senate bill No. 109, entitled

A bill to require the use of bells on either a team or sleigh during the winter season for the safety of foot travelers.

The bill was read a first and second time by its title, and

On motion of Mr. Hubbell,

The rules were suspended, and the bill was considered as in the committee of the whole and placed on its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Pulver moved that the bill be laid on the table;

Which motion did not prevail.

After a considerable discussion,

Mr. Manwaring moved that the further consideration of the bill be postponed for one day;

Which motion did not prevail.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Francis,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Hawley,	Kempf,	Shoemaker,
Carpenter,	Heisterman,	Monroe,	Smith, S. W.,
Davenport,	Henry,	Pennell,	Spencer,
Davis,	Hertzler,	Phelps,	Woodruff,
Edwards.	Hubbell,	Pulver,	23

#### NAYS.

Mr. Manwaring.

Title agreed to.

On motion of Mr. Hubbell,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take effect ten days after its approval.

On motion of Mr. Belknap,

The Senate went into executive session, the time being 5:10 P. M.

The executive session closed, the time being 5:38 P. M.

Roll called: a quorum present;

On motion of Mr. Kempf,

The Senate adjourned.

*Lansing, Thursday, February 12, 1885.*

The Senate met, and was called to order by the President at 2 o'clock P.M.  
Prayer by the Rev. Mr. Brown.

Roll called: a quorum present.

Absent without leave: Senators Carveth, Curtiss, Greiner, Moon, and G. A. Smith.

Mr. Kempf asked and obtained leave of absence for all absentees for the day.

#### REPORTS OF STANDING COMMITTEES.

By the committee on constitutional amendments:

The committee on constitutional amendments, to whom was referred Senate joint resolution No. 3, entitled

Joint resolution for amendment of section 11, article 5, constitution of the State, relative to reprieves, commutations, and pardons,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without recommendation and ask to have it printed and referred to the committee of the whole and placed on the general order, and also ask to be discharged from the further consideration of the subject.

**SAMUEL W. SMITH, Chairman.**

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on insurance:

The committee on insurance, to whom was referred

House bill No. 102 (File No. 36), entitled

A bill to amend section 1 of act No. 157 of the session laws of 1881, being section 4309 of Howell's Annotated Statutes, entitled "An act to authorize the incorporation of a Michigan Millers' Mutual Fire Insurance Company,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with an amendment thereto, recommending that the amendment be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

**EDWARD E. EDWARDS, Chairman.**

Report accepted and committee discharged.

On motion of Mr. Edwards,

The Senate concurred in the amendment made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on the asylums for the insane:

The committee on the asylums for the insane, in compliance with a resolution of the Senate of January 30, asking "That each one of the several committees on State institutions be and they are hereby instructed to report to the Senate at as early a day as practicable the average daily attendance of the inmates of the institution, and the average daily cost to the State for each inmate of the following items; Fuel, books, furniture, food, amusements, bedding, salaries, light, medicine, and clothing; and the total daily average cost of maintenance;"

Would respectfully submit the following statements for the two institutions:

Statement showing the average daily attendance and cost of patients at the Michigan Asylum for the Insane at Kalamazoo:

Average daily attendance of patients .....	782.00	
Average daily cost for:		
Fuel .....	5	8.5
Books (many books are donated; those purchased are by special appropriation; none made for the past two years)		
Furniture (including crockery, glass, and tinware) .....	1	5.2
Food .....	18	4.0
Amusements .....	0	0.7
Bedding .....	1	0.0
Salaries (includes officers and all employes) .....	20	7.3
Light .....	1	6.0
Medicine .....	1	0.0
Clothing .....	3	1.5
Total .....	53	3.2
Total cost of maintenance per day .....	57	1.0

*ANALYSIS of Disbursements at the Eastern Michigan Asylum for the Year ending September 30, 1884.*

	Gross Amount.	PER PATIENT.	
		Per Day.	Per Week.
Attendants .....	\$19,378 57	\$0.081165	\$0.568155
Clothing .....	8,328 30	.034874	.244118
Damages and repairs .....	1,164 30	.004878	.034132
Dispensary .....	2,396 72	.010038	.070266
Entertainments .....	403 65	.001690	.011830
Farm .....	2,575 92	.010789	.075523
Furniture and furnishing .....	4,967 06	.020804	.145628
Garden .....	470 46	.001970	.013793
Grounds .....	2,771 64	.011808	.081256
Heating and ventilating .....	6,945 18	.029089	.203623
Kitchen and bakery .....	4,919 94	.020606	.144242
Laundry .....	5,975 43	.025027	.175189
Light .....	3,054 00	.012791	.089537
Miscellaneous .....	3,208 53	.013430	.094010
Office stationery, etc. ....	2,441 13	.010224	.071568
Out buildings .....	4,758 57	.019922	.139454
Pathological laboratory and library .....	13 75	.000058	.000406
Pipe covering .....	70 18	.000299	.002090
Provisions .....	40,390 56	.169171	1.184197
Refunded money .....	322 71	.001351	.009457
Renewals and additions .....	10,043 96	.042068	.294476
Special barn .....	877 05	.003873	.025711
Tailor shop .....	64 55	.000270	.001890
Telephones .....	172 00	.000720	.005040
Water distribution .....	2,832 82	.011865	.083055
Special appropriations .....	2,977 64	.012471	.007297
	\$131,518 62	.550849	3.856943

*Biennial Period Ending September 30, 1884.*

	Gross Amount.	PER PATIENT.	
		Per Day.	Per Week.
Attendants.....	\$37,428 84	\$0.08125	\$0.56 9
Clothing.....	15,601 83.	.08385	23.7
Damages and repairs.....	2,162 78	.00467	3.2
Dispensary.....	5,735 17	.01257	8.9
Entertainment.....	650 89	.00114	0.9
Farm.....	5,142 30	.01114	7.8
Furniture and furnishing.....	9,961 57	.02157	15.1
Garden.....	870 94	.00171	1.2
Grounds.....	3,747 07	.00842	5.9
Heating and ventilation.....	13,559 60	.029428	20.6
Kitchen and bakery.....	9,586 79	.020714	14.5
Laundry.....	11,801 85	.025571	17.9
Light.....	7,093 21	.015328	10.8
Miscellaneous.....	6,979 38	.015142	10.6
Office stationery, etc.....	5,062 16	.011	7.7
Out buildings.....	6,149 11	.013	9.1
Pathological laboratory and library.....	152 48	.000642	0.41½
Pipe covering.....	706 64	.001714	1.2
Provisions.....	79,463 97	.172714	120.9
Refunded money.....	479 36	.001	0.7
Renewals and additions.....	18,901 88	.041	28.7
Special barn.....	1,290 85	.002714	1.9
Tailor shop.....	687 06	.001428	1.0
Telephones.....	341 94	.000714	.5
Water distribution.....	5,184 11	.011142	7.8
Special appropriations.....	3,899 61	.008285	5.8
	\$252,705 59	.548	3.83.6

And ask to be discharged from the further consideration of the subject.

H. C. SPENCER, *Chairman.*

Report accepted and committee discharged.

By the committee on public health:

The committee on public health, to whom was referred

Senate bill No. 89, entitled

A bill to amend section 44 of chapter 46 of the compiled laws of 1871, being compiler's section 1735, and being also section 1676 of Howell's Annotated Statutes relative to public health,

. Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAS. HUESTON, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

## MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, Feb'y 12, 1884. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 120 (File No. 51), entitled

A bill to amend section 3, chapter 134, compiled laws of 1871, relative to the State Agricultural College, being section 4979 of Howell's Annotated Statutes of Michigan,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on Agricultural College.

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, Feb. 12, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 100 (File No. 50), entitled

A bill to establish a State Board of Fish Commissioners, and to repeal act No. 124, session laws of 1873, act No. 71, session laws of 1875, and act No. 3, session laws of 1882;

2. House bill No. 121 (File No. 54), entitled

A bill providing for the exemption from poll tax of discharged soldiers, sailors, and marines, residents of the State of Michigan;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first-named bill was read a first and second time by its title, and referred to the committee on fisheries.

The second-named bill was read a first and second time by its title, and referred to the select committee on taxation.

The President also announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, February 12, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to transmit the following bills:

1. House bill No. 133 (File No. 58), entitled

A bill to amend sections 1, 2, and 3, of chapter 263, of the compiled laws of 1871, being continuous sections 9583, 9584, and 9585 of Howell's Annotated Statutes of Michigan of 1882, relative to inquests on the view of dead bodies;

2. House bill No. 147 (File No. 52), entitled

A bill to amend sections 2, 8, and 12 of an act entitled "An act to regulate the catching of fish in certain waters of this State," being act No. 188 of the session laws of 1875, approved May 1, 1875;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

D. L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on fisheries.

#### NOTICES.

Mr. S. W. Smith gave notice that on some future day he would ask leave to introduce

A bill to amend sections 1, 2, and 7 of act No. 169 of the session laws of 1881, being sections 298, 299, and 304 of Howell's Annotated Statutes of Michigan, entitled "An act to revise and consolidate the several acts relating to the care and management of the State Library."

Mr. Manwaring gave notice that on some future day he would ask leave to introduce

A bill to provide for the protection and benefit of keepers of stallions in this State.

Mr. Henry gave notice that on some future day he would ask leave to introduce

A bill for the apportionment of Senators in the State Legislature.

Mr. Shoemaker gave notice that on some future day he would ask leave to introduce

A bill to enable volunteer military companies, other than those mustered as "State troops," in certain cases, to avail themselves of and be subject to the provisions of chapters 6, 7, 8, 9, 10, 11, and 12 of the compiled laws of 1871, and of the amendments thereto, and the same being also the corresponding numbers of the chapters in Howell's Annotated Statutes;

Also,

A bill making an appropriation from the State military funds for the purchase of ground and the erection of an armory at Jackson, for the use of State troops.

Mr. Spencer gave notice that at some future day he would ask leave to introduce

A bill making appropriation for building a carpenter shop and purchasing machinery therefor; for building a kitchen, containing lodgings for employes, and for building an infirmary and heating the same, at the Michigan Asylum for the Insane;

Also,

A bill authorizing and empowering the Trustees of the Michigan Asylum for the Insane to purchase a tract of land lying north and east of the land now owned by the State and occupied by the asylum.

Mr. Austin, gave notice that on some future day he would ask leave to introduce

A bill to increase the number of the justices of the Supreme Court.



Mr. Kempf gave notice that on some future day he would ask leave to introduce

A bill to provide for the deposit of the public moneys by the county treasurers with banking corporations on interest.

Mr. Hawley gave notice that on some future day he would ask leave to introduce

A joint resolution to amend section 10 of article 15 of the Constitution of Michigan by adding the words "or for the establishment and maintenance of public art collections."

Mr. Stephenson gave notice that on some future day he would ask leave to introduce

A bill to confirm the sale of certain swamp lands to Martha M. Ingalla, and patent No. 25810 issued to her upon such sale.

Mr. Hubbell gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Ontonagon, in the county of Ontonagon and State of Michigan.

Mr. Stephenson gave notice that on some future day he would ask leave to introduce

A bill to amend section 1 of act number 142 of the session laws of 1883, being an act entitled "An act to provide for selecting petit-jurors in the Upper Peninsula."

Mr. Brown gave notice that on some future day he would ask leave to introduce

A bill to establish a recorder's court for the city of Kalamazoo, and to define the jurisdiction of the same;

Also,

A bill to amend the charter of the city of Kalamazoo, being act No. 337 of the session laws of 1883, entitled "An act to incorporate the city of Kalamazoo," and to repeal an act entitled "An act to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts," approved March 15, 1861, as amended by the several acts amendatory thereof, approved.

#### MOTIONS AND RESOLUTIONS.

Mr. Hawley offered the following concurrent resolution:

*Resolved* (the House concurring), That the State Printers are requested to use every means possible to expedite the printing of the Legislative Manual for 1885-6;

Which was adopted.

Mr. Shoemaker offered the following resolution:

*Resolved*, That a new rule be added to the "Rules of the Senate," to read as follows:

Rule 54. Standing committees before reporting adversely to any resolution or bill shall notify the Senator who introduced such resolution or bill when and where he may meet the committee to explain the same.

On motion of Mr. Shoemaker,

The resolution was referred to the committee on rules and joint rules.

Mr. Shoemaker offered the following resolution:

*Resolved*, That the Secretary of the Senate have printed for the use of the Senate, lists of all standing and special committees as now constituted;

Which was adopted.

Mr. Monroe offered the following resolution:

WHEREAS, There seems to be a difference of opinion as to the amount for mileage and expenses, which the members of the several committees visiting State institutions are entitled to; therefore

*Resolved*, That the judiciary committee be requested to examine the law and report to the Senate the amount which members of the above mentioned committees are legally entitled to draw for mileage and expenses in visiting State institutions;

Which was adopted.

Mr. Hubbell offered the following resolution:

*Resolved* (the House concurring), That the joint select tax committee be, and it is hereby authorized and empowered to purchase copies of "Maxwell's Tax Law Reporter" for the use of said committee;

Which was adopted.

#### INTRODUCTION OF BILLS.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 110, entitled

A bill to amend act No. 28, of the session laws of 1877, approved March 9, 1877, entitled "an act to provide for the appointment of an assistant prosecuting attorney for the county of Wayne," by adding a new section thereto, to stand as section 7.

The bill was read a first and second time by its title, and pending its reference,

On motion of Mr. Hawley,

The bill was laid on the table.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 111, entitled

A bill to amend section 14 of an act entitled "an act relating to burying grounds," approved February 12, 1855, being section 4741 of Howell's Annotated Statutes, and to add a new section to said act;

The bill was read a first and second time by its title and referred to the committee on banks and incorporations.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 112, entitled

A bill to amend section 5935 of the compiled laws of 1871, being section 7508 of Howell's Annotated Statutes, relative to printed copies of laws, etc., of other States.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 113, entitled

**A** bill to provide for a uniform system of book-keeping by all State institutions.

The bill was read a first and second time by its title and referred to the committee on State affairs.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 114, entitled

A bill requiring all State institutions to submit their estimates of current expenses to the State Board of Corrections and Charities.

The bill was read a first and second time by its title and referred to the committee on State affairs.

Mr. Manwaring previous notice having been given and leave being granted, introduced

Senate bill No. 115, entitled

A bill to prevent the sale of tobacco to minors.

The bill was read a first and second time by its title and referred to the committee on public health.

Mr. Manwaring, previous notice having been given and leave being granted, introduced

Senate bill No. 116, entitled

A bill to repeal act No. 179 of public acts of 1883, entitled "An act to regulate the width of wagon tires to be used on lumber wagons."

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Manwaring, previous notice having been given and leave being granted, introduced

Senate bill No. 117, entitled

A bill to amend section No. 9 of act No. 144 of public acts of 1883, entitled "An act to provide for the compulsory education of children in certain cases."

The bill was read a first and second time by its title and referred to the committee on education and public schools.

Mr. Francis, previous notice having been given and leave being granted, introduced

Senate bill No. 118, entitled

A bill to incorporate the village of Boyne City.

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. Davis, previous notice having been given and leave being granted, introduced

Senate bill No. 119, entitled

A bill to amend section 552 of the compiled laws of 1871, being section 580 of Howell's Annotated Statutes, relative to the appointment of deputy sheriffs.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. S. W. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 120, entitled

A bill to provide for the appointment and maintenance of county game and fish wardens.

The bill was read a first and second time by its title and referred to the committee on State affairs.

Mr. Heisterman, previous notice having been given and leave being granted, introduced

Senate bill No. 121, entitled

A bill to prohibit the levying of highway and drain taxes on the islands in Saginaw Bay.

The bill was read a first and second time by its title and referred to the select joint committee on taxation.

Mr. Hubbell, previous notice having been given and leave being granted, introduced

Senate bill No. 122, entitled

A bill to amend section 3, of act No. 193, of the session laws of 1867, being section 8018, and following section of Howell's Annotated Statutes, relative to proceedings in attachment.

The bill was read a first and second time by its title, and referred to the committees on the judiciary.

Mr. Hubbell, previous notice having been given and leave being granted, introduced

Senate bill No. 123, entitled

A bill to amend section 2, of chapter 165, of the compiled laws of 1871, by section 7694, of Howell's Annotated Statutes, relative to adjournment of sales of real estate on execution.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 124, entitled

A bill to revise the laws providing for the incorporation of all manufacturing companies, except such as are contemplated by act No. 42 of the Session Laws of 1867 (which provides for the incorporation of persons or corporations engaged in the manufacture of salt), and mercantile companies, or any union of the two, and to fix the duties and liabilities of such corporations.

The bill was read a first and second time by its title and referred to the committee on banks and incorporations.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 125, entitled

A bill to amend sections 21, 22, 23, 24, 29, 30, 32, 33, 35, 43, 49, 59, and 60 of an act entitled "An act to revise and amend the charter of the city of Battle Creek," approved April 3, 1879, and to repeal section 34 of said act;

The bill was read a first and second time by its title and referred to the committee on cities and villages.

By unanimous consent,

Mr. Hawley moved to take from the table

Senate bill No. 110, entitled

A bill to amend act No. 28 of the session laws of 1877, approved March 9, 1877, entitled "An act to provide for the appointment of an assistant prosecuting attorney for the county of Wayne" by adding a new section thereto to stand as section 7;

Which motion prevailed.

On motion of Mr. Hawley,

The rules were suspended and the bill was placed upon its immediate passage.

The bill having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

On motion of Mr. Pennell,

The bill was laid on the table.

Mr. Davenport, previous notice having been given and leave being granted introduced

Senate bill No. 126, entitled

A bill to amend section 7612 of compiled laws of 1871, relative to the protection of land and punishment for cutting and carrying away timber therefrom.

The bill was read a first and second time by its title and referred to the committee on judiciary.

By unanimous consent, the Senate returned to the order of

#### NOTICES.

Mr. Davenport gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the City of Saginaw, Michigan.

#### UNFINISHED BUSINESS.

Being the consideration of the following concurrent resolution:

*Resolved*, By the House of Representatives (the Senate concurring), that 700 copies, in addition to the number provided for by law, of the annual report of the State Board of Fish Commissioners for the years 1883-4, be allowed said Commission for distribution among the fishermen and other interested parties in the State, and that the State Board of Auditors be and are hereby directed to audit and allow the bill for printing the same.

On motion of Mr. Shoemaker

The concurrent resolution was laid on the table.

Being also the consideration of the following resolution:

*Resolved*, That hereafter the daily sessions of the Senate commence at 10 o'clock A. M., until otherwise ordered;

On motion of Mr. Manwaring,

The resolution was laid on the table.

Mr. Davenport asked and obtained leave of absence for himself until Monday, February 16.

#### QUESTION OF PRIVILEGE.

Mr. Hubbell rose to a question of privilege and sent to the secretary's desk, to be read, an article published in "The Ontonagon Miner," entitled "A Libel on the Upper Peninsula."

After the reading of the article,

Mr. Shoemaker raised the question of order that the subject matter of the article could not be properly brought before the Senate as a question of privilege;

Whereupon,

The President withheld his decision on the question of order until to-morrow.

#### GENERAL ORDER.

On motion of Mr. Manwaring,

The Senate went into committee of the whole on the general order,

Mr. Edwards in the chair.

After some time spent therein, the committee rose, and, through their chairman made the following report:

The committee of the whole have had under consideration the following:

1. Senate bill No. 39 (File No. 12), entitled

A bill making an appropriation for the Pioneer Society of the State of Michigan, for the years 1885 and 1886;

2. Senate bill No. 15 (File No. 17), entitled

A bill to amend sections 1 and 3 of chapter 5 of an act entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within this State," being act No. 243, public acts of 1881, approved June 8, 1881;

3. Senate bill No. 47 (File No. 18), entitled

A bill to amend section 1414 of Howell's Annotated Statutes, being section 3 of chapter 11 of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within this State;"

3. House bill No. 51 (File No. 19), entitled

A bill to authorize the killing of English sparrows;

5. Senate joint resolution No. 2 (File No. 3), entitled

A joint resolution to amend the constitution so as to abolish the board of auditors of Wayne county;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

EDWARD E. EDWARDS, *Chairman*.

Report accepted and committee discharged.

The first four named bills and joint resolution were placed on the order of first reading of bills.

By unanimous consent,

Mr. Austin offered the following:

WHEREAS, In the course of human events, few men live to celebrate their golden wedding, and that such an event is worthy of special notice among the peers of one who, in the enjoyment of health and mental vigor, meets with us daily in the discharge of the arduous duties devolving on a man filling the dignified, honorable, and responsible office of Senator of the State of Michigan; therefore,

*Resolved*, That the congratulations of the Senate of Michigan be and are hereby tendered to Hon. Henry Woodruff, who this day, although separated from his family by reason of his official obligations, celebrates the extremely uncommon event of a golden wedding, with our wish that his life and that of his chosen companion may be extended through many years of usefulness, prosperity, and honor;

*Resolved*, That a copy of this preamble and resolution be engrossed by the enrolling and engrossing clerk, signed by the officers of the Senate, and presented to Senator Henry Woodruff;

Which was adopted unanimously by a rising vote.

On motion of Mr. Hubbell,

The Senate adjourned.

*Lansing, Friday, February 13, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.

Roll called : a quorum present.

Prayer by the Rev. Mr. Taylor.

Absent without leave : Senators Carveth and Greiner.

Mr. Austin asked and obtained leave of absence for Mr. Carveth for the remainder of this week.

Mr. Hueston asked and obtained leave of absence for Mr. Greiner, indefinitely, on account of sickness.

#### QUESTION OF PRIVILEGE.

The President made the following decision :

On the point of order being raised by the Senator of the 7th district at yesterday's session against the admission of the question of privilege offered by the Senator of the 32d district, being an article published in the "Ontonagon Miner" of Feb. 7, 1885, entitled "A Libel on the Upper Peninsula," I can find no decision among the "Michigan Legislative Precedents," but in rule 9 of the Rules and Practices of the House of Representatives of the United States I find the question of privileges defined as follows: "Questions of privilege shall be, first, Those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, The rights, reputation, and conduct of members in their representative capacity only." Also Cushing's Manual, section 1503, page 583, among other questions of privilege, says: "Questions affecting the rights of members to their seats whether existing in the shape of charges contained in a petition, or in a resolution reported by the committee on elections, or otherwise, and pending in the House," and again in section 1504, page 584, of the same Manual I find "explaining a charge in a public newspaper against a member" is not a privileged question. I therefore decide that the point of order made by the Senator of the 7th district against the said question of privilege offered by the Senator of the 32d district well taken.

#### PETITIONS.

No. 67. By Mr. Francis: Petition of W. J. Weikel and 54 others, asking for the incorporation of the village of Boyne City;

Referred to committee on cities and villages.

No. 68. By Mr. Shoemaker: Memorial of G. V. N. Lothrop, relative to the necessity for reports from and the visitation of private "bankers," those receiving deposits, but not now governed by the banking law.

On motion of Mr. Shoemaker

The memorial was ordered printed in the Journal, and referred to the committee on banks and incorporations.

The following is the memorial:

DETROIT, MICH., *January 24, 1885.*

*Hon. Michael Shoemaker :*

MY DEAR SIR—I venture to call your attention to the question whether persons holding themselves out as bankers for the receipt of deposits should not be subject to regulation and visitation by law.

I have seen so much mischief from this source that I have often thought that legislation was needed, and in the recent message of Governor Hill of New York, I notice that he recommends legislation. It is true we may say that every man should look out for himself; but there is a large class of depositors who are specially liable to be deceived and defrauded. The name "banker" put over a street door, conveys to many persons a sort of idea of special responsibility, and many small depositors, having no means of satisfactory judgment, are drawn by the stream. High interest is held out as a temptation, and so multitudes are drawn in.

You are a business man of long experience and can judge as well as any one whether legislative regulation is desirable.

Very truly, etc.,

GEO. V. N. LOTHROP.

No. 69. By Mr. Curtiss: Petition of J. M. Methaney, J. W. Hughart, and P. V. Fox and 100 others, against hunting deer with dogs;

Referred to the committee on State affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committee on rules and joint rules:

The committee on rules and joint rules, to whom was referred the following resolution:

*Resolved*, That a new rule be added to the "Rules of the Senate," to read as follows:

Rule 54. Standing committees before reporting adversely to any resolution or bill shall notify the Senator who introduced such resolution or bill when and where he may meet the committee to explain the same;

Would respectfully report: That they have had the same under consideration and report favorably thereon, recommend its adoption, and ask to be discharged from the further consideration of the subject.

H. H. PULVER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Pulver,

The report was adopted, two-thirds of all the Senators elect voting therefor.

By the committee on railroads:

The committee on railroads, to whom was referred

Senate bill No. 20 (File No. 8), entitled

A bill to amend section 29 of article 2 of act No. 198 of the session laws of 1873, being an act entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities, of all railroad and other corporations owning or operating any railroad in this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

CHAS. AUSTIN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Austin,

The Senate concurred in the amendments made to the bill by the committee.



The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on public health:

The committee on public health, to whom was referred

Senate bill No. 115, entitled

A bill to prevent the sale of tobacco to minors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

**JAMES HUESTON, *Chairman.***

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary to whom was referred

House bill No. 25, entitled

A bill to legalize the assessment roll of the township of Watertown, in the county of Clinton, for the year 1879,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying substitute therefor, entitled

A bill to legalize the assessment roll of the township of Watertown, in the county of Clinton for the year 1879,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

**JAY A. HUBBELL, *Chairman.***

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the adoption of the substitute reported for the bill by the committee.

On motion of Mr. Hubbell,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

**YEAS.**

Mr. Austin,	Mr. Francis,	Mr. Kempf,	Mr. Sherwood,
Belknap,	Hawley,	Manwaring,	Shoemaker,
Brown,	Heisterman,	Monroe,	Smith, G. A.,
Carpenter,	Henry,	Moon,	Smith, S. W.,
Cline,	Hertzler,	Pennell,	Spencer,
Curtiss,	Hubbell,	Phelps,	Stephenson,
Davis,	Hueston,	Pulver,	Woodruff,
Edwards,			

29

**NAYS.**

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Title agreed to.

On motion of Mr. Hubbell,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

## REPORTS OF SELECT COMMITTEES.

By the special committee on election laws:

The special committee on election laws, to whom was referred so much of the message of the retiring Governor, Hon. J. W. Begole, as relates to the election laws, respectfully report that they have had the same under consideration. The recommendation of the message is broad enough to suggest a somewhat full examination of the election laws with a view to their modification, and your committee believe that this is demanded by an intelligent public opinion. The work, however, will require the close application of some one person for a time, to an extent greater than any Senator can bestow upon it consistently with other duties. Your committee, therefore, ask for authority to employ some person to make the examination and prepare the necessary bill, and for that purpose submit the subjoined resolution.

J. W. BELKNAP, *Chairman.*

Report accepted.

The following is the resolution reported by the committee:

*Resolved*, That the special committee on the election laws be and they are hereby authorized to employ a clerk for such time as may be necessary to perform the duties contemplated by their report as submitted;

Which was adopted.

## MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 13, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

1. House bill No. 132 (File No. 62), entitled

A bill to amend section 5, of act No. 97, of the session laws of 1879, as amended, being section 6539, of Howell's Annotated Statutes of Michigan, of 1882, relative to filling vacancies in the superior court of Detroit;

2. House bill No. 166 (File No. 66), entitled

A bill to amend an act entitled "An act to amend an act entitled 'An act to incorporate the city of Marquette,'" as heretofore amended, as recited in the title of the act hereby amended which was approved March 10, 1875, so as to provide for five wards in said city;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, Feb. 13, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following concurrent resolution:

*Resolved* (the House concurring), That the joint select tax committee be, and it is hereby authorized and empowered to purchase copies of "Maxwell's Tax Law Reporter," for the use of said committee;

In the passage of which the House has concurred.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The message was laid on the table.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 13, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to transmit the following bill:

House bill No. 171, entitled

A bill to authorize the county of Presque Isle to issue bonds, and to provide for the retirement of bonds heretofore issued;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and

On motion of Mr. Hubbell,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor by yeas and nays as follows:

YEAS.

Mr. Austin,	Mr. Francis,	Mr. Kempf,	Mr. Sherwood,
Belknap,	Hawley,	Manwaring,	Shoemaker,
Brown,	Heisterman,	Munroe,	Smith, G. A.,
Carpenter,	Henry,	Moon,	Smith, S. W.,
Oline,	Hertzler,	Pennell,	Spencer,
Curtiss,	Hubbell,	Phelps,	Stephenson,
Davis,	Hueston,	Pulver,	Woodruff,
Edwards,			

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NAYS.

0

Title agreed to.

On motion of Mr. Hubbell,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 13, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 117 (File No. 57), entitled

A bill relating to the proof of instruments in writing;

2. House bill No. 125 (File No. 69), entitled

A bill relative to maintaining the fire and police department in the city of Lansing;

3. House bill No. 109 (File No. 64), entitled

A bill to provide for the adjudication and payment of certain claims for State bounties, and supposed to have been paid by the State upon forged or fraudulent vouchers;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on judiciary.

The second named bill was read a first and second time by its title, and referred to the committees on cities and villages, and appropriations and finance jointly.

The third named bill was read a first and second time by its title, and referred to the committees on military affairs, and appropriations and finance jointly.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 12, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 137 (File No. 59), entitled

A bill to amend section 3 of chapter 249 of the compiled laws of 1871, being section 9279 of Howell's Annotated Statutes of Michigan of 1882, relative to offenses against chastity, morality, and decency;

2. House bill No. 107 (File No. 56), entitled

A bill to provide for the incorporation and define the objects of the order of the Sons of Industry;

3. House bill No. 154 (File No. 53), entitled

A bill to amend an act entitled "An act to protect fish and preserve the fisheries of this State, and being act No. 350 of the Session Laws of 1865," approved March 21, 1865, and all the acts amendatory thereto, and being found as amended in chapter 63, compiler's section 2195, Howell's Annotated Statutes of Michigan.

Which have passed the House by a majority of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on State affairs.

The third named bill was read a first and second time by its title, and referred to the committee on fisheries.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, Feb. 12, 1885.* }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 163, (File No. 61), entitled

A bill to re-incorporate the village of Sand Lake in the county of Kent, and to repeal all acts and proceedings relating to its former incorporation;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on cities and villages.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 12, 1885.* }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 222, entitled

A bill to authorize the village of Harbor Springs to raise money to aid in the construction of a court-house for the county of Emmet;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and

On motion of Mr. Francis,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Francis,	Mr. Kempf,	Mr. Sherwood,
Belknap,	Hawley,	Manwaring,	Shoemaker,
Brown,	Heisterman,	Monroe,	Smith, G. A.,
Carpenter,	Henry,	Moon,	Smith, S. W.,
Cline,	Hertzler,	Pennell,	Spencer,
Curtiss,	Hubbell,	Phelps,	Stephenson,
Davis,	Hueston,	Pulver,	Woodruff,
Edwards,			

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#### NAYS.

0

Title agreed to.

On motion of Mr. Francis,

By a vote of two-thirds of the Senators elect, the bill was ordered to take immediate effect.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, Feb. 13, 1885.* }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following petitions:

Being petitions signed by 298 citizens of Hamtramck township, Wayne county, favoring annexation to the city of Detroit.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The petitions were referred to the committee on cities and villages.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 12, 1885.* }

*To the President of the Senate :*

SIR,—I am instructed by the House to respectfully request the return to the House of

House bill No. 96 (File No. 28), entitled

A bill to amend section 1 of act No. 251 of the session laws of 1881, being section 2198 of Howell's Annotated Statutes, relative to the protection of game.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

On motion of Mr. Manwaring,

The request of the House was granted.

#### NOTICES.

Mr. Hueston gave notice that on some future day he would ask leave to introduce

A bill to provide for the appointment and maintenance of State game and fish wardens.

Mr. Manwaring gave notice that on some future day he would ask leave to introduce

A bill to establish district workhouses and provide for their management and maintenance.

Mr. Cline gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Brockway Center, in St. Clair county;

Also,

A bill to repeal act number 5, of the session laws of 1883, approved February 21, 1883;

Also,

A bill to provide for the appointment, compensation, and duties of a stenographer for the sixteenth judicial circuit;

Also,

A bill to provide for service of process on bringing suit against foreign mutual insurance societies doing business in this State;

Also,

A bill to amend the charter of the village of Marine City in St. Clair county;

Also,

A bill to amend act No. 350 of the session laws of 1865, being section 2163 of the General Statutes of the State of Michigan, compiled and annotated by Andrew Howell.

Mr. Shoemaker gave notice that on some future day he would ask leave to introduce

A joint resolution for the relief of Hananiah D. Pugh, Claude C. Walker, and Edward W. Lowe.

Mr. Stephenson gave notice that on some future day he would ask leave to introduce

A bill for the establishment of a State house of correction and a branch of the State prison in the Upper Peninsula, and to provide for the location and erection thereof, and making an appropriation therefor;

Also,

A bill to organize the county of Goodwin in the Upper Peninsula.

Mr. Monroe gave notice that on some future day he would ask leave to introduce

A bill to provide for a Deputy Attorney General for the office of Attorney General at Lansing.

Mr. Phelps gave notice that on some future day he would ask leave to introduce

A bill to amend chapter 257 of the compiled laws of 1881, with reference to convicts serving sentence in county jail, by adding a new section to stand as section 23;

Also,

A bill to amend sections 8 and 75 of chapter 10 of the compiled laws of 1871, being compiler's sections 480 and 585 of Howell's Annotated Statutes, with reference to county officers.

Mr. Woodruff gave notice that on some future day he would ask leave to introduce

A bill to amend section one of an act entitled "An act to provide for the payment of the salaries of State officers," approved April 17, 1871, being section 420 of compiled laws of 1871, as amended by act No. 171 of the session laws of 1875, approved April 13, 1875, as amended by act No. 62 of the session laws of 1879, approved May 3, 1879, and by act No. 224 of the session laws of 1881, approved June 7, 1881, being section 339 of Howell's Annotated Statutes.

Mr. Belknap gave notice that on some future day he would ask leave to introduce

A bill making an appropriation for the general and other expenses of the Institution for the Deaf and Dumb at Flint;

Also,

A bill making an appropriation for the purpose of additional land, erecting a hospital, and the laying of cement or concrete sidewalks for the Institution for the Deaf and Dumb at Flint.

Mr. Henry, gave notice that on some future day he would ask leave to introduce

A bill to amend section 1960 of the compiled laws of 1871 as amended, being section 1985 of Howell's Annotated Statutes, relative to disorderly persons;

Also

A bill to amend act No. 192 of the session laws of 1879, being section 9315

of Howell's Annotated Statutes, relative to punishment for libel and slander, and to add one new section thereto to stand as section 2.

Mr. Hubbell gave notice that on some future day he would ask leave to introduce

A bill to provide a pension on the retirement or resignation of judges of the State courts at the age of 70 years and of twenty years' service.

Mr. Curtiss gave notice that on some future day he would ask leave to introduce

A bill to authorize the formation of electric clock and time companies.

Mr. S. W. Smith gave notice that on some future day he would ask leave to introduce

A bill to amend sections 3 and 6 of chapter 34 of the revised statutes of 1846, relating to money of account and the interest of money, and on judgments, verdicts, etc.; also section 1 of act No. 11 of the session laws of 1869 relating to interest upon installments falling due upon written contracts, being sections 1594, 1597, and 1599 of Howell's Annotated Statutes of Michigan;

Also,

A bill to repeal act 192 of the session laws of 1879, entitled "An act to provide a punishment for libel and slander;"

Also,

A bill to amend the charter of the city of Pontiac;

Also.

A bill to enlarge the supreme court, and increase the salaries of the justices thereof.

#### MOTIONS AND RESOLUTIONS.

Mr. Monroe offered the following concurrent resolution:

WHEREAS, There seems to be a difference of opinion as to the amount for mileage and expenses, which the members of the several committees visiting State institutions are entitled to; therefore

*Resolved* (the House concurring), That the judiciary committees of the two Houses be requested to examine the law and report the amount which members of the above mentioned committees are legally entitled to draw for mileage and expenses in visiting State institutions;

Which was adopted.

Mr. Hubbell offered the following preamble and resolution:

WHEREAS, It is alleged the honorable William P. Innes, late State Railroad Commissioner, in a late interview with a Detroit paper, made use of the following language with reference to the canvass and return of votes cast in the Upper Peninsula of Michigan for, among other officers, that of Senators and Representatives in the Legislature of said State, viz.: "Look at the vote polled in the Upper Peninsula. It shows an increase over two years ago of over 100 per cent, while the vote of the Lower Peninsula, which was carried by the fusion ticket, shows an increase of but 23 per cent. The facts are significant, to say the least; but, even passing them over, how do you account for the fact that while the returns from the counties south of the Straits were all in the day after election, the vote of the Upper Peninsula could not be ascertained for over ten days? My opinion is that they waited until it was found that the Lower Peninsula was against the Republicans, and then fixed up the vote to suit the emergency. The Fusionists could not hope to win under the circumstances;" therefore



*Resolved*, That the committee on State affairs be and it is hereby instructed to inquire into the methods used in said Upper Peninsula in canvassing and returning said votes cast as aforesaid at said election and report the facts to the Senate at an early day, to the end that if any legislation is required to protect the purity of the ballot and to insure a correct canvass and return of votes cast at any election, prompt action may be taken to secure such legislation;

*And be it further resolved*, That such committee have power to send for persons and papers, to subpoena witnesses, and administer oaths to such witnesses and to employ a clerk and stenographer if, in the judgment of such committee, a clerk and stenographer is desirable and necessary.

Mr. Pennell moved to lay the resolution on the table.

Mr. Pulver called for the yeas and nays.

The motion prevailed, by yeas and nays as follows:

#### YEAS.

Mr. Austin,	Mr. Hertzler,	Mr. Moon,	Mr. Shoemaker,
Davis,	Hueston,	Pennell,	Smith, G. A.,
Francis,	Kempf,	Phelps,	Smith, S. W.,
Heisterman,	Manwaring,	Pulver,	Spencer,
Henry,	Monroe,	Sherwood,	Woodruff, 20

#### NAYS.

Mr. Belknap,	Mr. Carpenter,	Mr. Hubbell,	Mr. Stephenson,
Brown,			5

By unanimous consent, the Senate returned to the order of

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 13, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to respectfully request the return to the House of

House bill No. 56 (File No. 27), entitled

A bill to amend act No. 29, session laws of 1881, being section No. 2199 of Howell's Annotated Statutes relative to killing quail,

Instead of that of

House bill No. 96 (File No. 28), entitled

A bill to amend section one of act No. 251 of the session laws of 1881, being section 2198 of Howell's Annotated Statutes, relative to the protection of game,

As requested in our message of the 12th inst.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

Whereupon,

Mr. Monroe offered the following resolution:

*Resolved*, That the committee on State affairs be and they are hereby directed to report back to the Senate forthwith,

Substitute for House bills Nos. 56 and 97 (File No. 27), entitled

A bill to amend act 29, Session Laws of 1881, being section 2199 of Howell's Annotated Statutes, relative to killing quail,

Instead of the first named bill formerly requested by the House:  
Which was adopted.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Substitute for House bills No. 56 and 97 (House file No. 27), entitled

A bill to amend act No. 29, session laws of 1881, being section 2199 of  
*Howell's Annotated Statutes*, relative to killing quail,

Respectfully report the same back to the Senate, agreeably to its resolution.

FITCH PHELPS, *Chairman.*

Report accepted.

On motion of Mr. Hertzler,

The request of the House for the return of the above mentioned bill was  
granted.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, Feb. 13, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 201, entitled

A bill to incorporate the village of Gladwin, in the county of Gladwin;

2. House bill No. 47 (File No. 35), entitled

A bill to provide for the incorporation of mutual insurance companies to  
insure against cyclones, wind-storms, and tornadoes, and defining their powers  
and duties;

Which have passed the House by a majority vote of all the members elect,  
and by a vote of two-thirds of all the members elect, been ordered to take  
immediate effect, and in which the concurrence of the Senate is respectfully  
asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first-named bill was read a first and second time by its title, and  
referred to the committee on cities and villages.

The second-named bill was read a first and second time by its title, and  
referred to the select committee on insurance.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, Feb. 13, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 116 (File No. 65), entitled

A bill for the preservation of public records, maps, and papers;

Which has passed the House by a majority vote of all the members elect,  
and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives,*

The bill was read a first and second time by its title and referred to the  
committee on State affairs.

By unanimous consent,

Mr. Carpenter offered the following resolution:

*Resolved.* That the Sergeant-at-Arms be and is herereby authorized to pro-

cure suitable badges for the messenger boys of the Senate, and see that they are worn at all times when on duty;

Mr. Kempf moved to amend by striking out the words "suitable badges" and inserting in lieu thereof "Red ribbons to be worn in the button holes," Which motion did not prevail.

Mr. Carpenter moved to amend by limiting the amount so that each badge shall not cost over two dollars.

Pending which,

Mr. Hubbell offered the following substitute for the resolution and amendment:

*Resolved*, That Senators Stephenson, Spencer, and Hubbell be permitted to furnish the badges for the employés of the Senate;

Which was agreed to.

The substitute was then adopted.

#### INTRODUCTION OF BILLS.

Mr. Manwaring, previous notice having been given and leave being granted, introduced

Senate bill No. 127, entitled

A bill to provide for the protection and benefit of keepers of stallions in this State.

The bill was read a first and second time by its title, and referred to the committee on agricultural interests.

Mr. Brown, previous notice having been given and leave being granted, introduced

Senate bill No. 128, entitled

A bill to establish a recorder's court for the city of Kalamazoo, and to define the jurisdiction of the same;

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. S. W. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 129, entitled

A bill to amend sections 1, 2, and 7 of act No. 169 of the session laws of 1881, being sections 298, 299, and 304 of Howell's Annotated Statutes of Michigan, entitled "An act to revise and consolidate the several acts relating to the care and management of the State Library."

The bill was read a first and second time by its title and referred to the committee on State library.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 130, entitled

A bill to confirm the sale of certain swamp lands to Martha M. Ingalls, and patent No. 25810 issued to her upon such sale.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Stephenson, previous notice having been given and leave being granted introduced

Senate bill No. 131, entitled

A bill to amend section 1 of act number 142 of the session laws of 1883, being an act entitled "An act to provide for selecting petit jurors in the Upper Peninsula."

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Kempf, previous notice having been given and leave being granted, introduced

Senate bill No. 132, entitled

A bill to provide for the deposit of the public moneys by the county treasurers with banking corporations on interest.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 133, entitled

A bill to increase the number of the justices of the Supreme Court.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 134, entitled

A bill making an appropriation from the State military funds for the purchase of ground and the erection of an armory at Jackson, for the use of State troops and independent military companies in that city.

The bill was read a first and second time by its title and referred to the committee on military affairs and appropriations and finance jointly.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 11, entitled

Joint resolution to amend the constitution so that the terms of office of certain State officers shall expire February 1, instead of January 1.

The joint resolution was read a first and second time by its title, and referred to the committee on constitutional amendments.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 135, entitled

A bill to require State officers, State institutions, boards, and commissioners to publish in their reports a list of their officers and employes, and their wages, salaries, and perquisites.

The bill was read a first and second time by its title and referred to the committee on State affairs.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 136, entitled

A bill making an appropriation for the purchase of books for the State Library, and for other purposes.

The bill was read a first and second time by its title and referred to the committee on State library and appropriations and finance jointly.

Mr. Hubbell, previous notice having been given and leave being granted, introduced

Senate bill No. 137, entitled

A bill to incorporate the village of Ontonagon, in the county of Ontonagon and State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on cities and villages.

Mr. Hubbell, previous notice having been given and leave being granted, introduced

Senate bill No. 138, entitled

A bill to detach certain lands from the township of Portage, in the county of Houghton, and to attach the same to the township of Adams, in said county.

The bill was read a first and second time by its title and referred to the committee on counties and townships.

Mr. Pulver asked and obtained leave of absence for himself until Monday, February 16.

### THIRD READING OF BILLS.

Senate bill No. 39 (File 12), entitled

A bill making appropriations for the Pioneer Society of the State of Michigan, for the years 1885 and 1886,

Was read a third time and passed, two-thirds of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Francis,	Mr. Kempf,	Mr. Sherwood,
Belknap,	Hawley,	Manwaring,	Shoemaker,
Brown,	Heisterman,	Monroe,	Smith, G. A.,
Carpenter,	Henry,	Moon,	Smith, S. W.,
Cline,	Hertzler,	Pennell,	Spencer,
Curtiss,	Hubbell,	Phelps,	Stephenson,
Davis,	Hueston,	Pulver,	Woodruff,
Edwards,			

29  
0

#### NAYS.

Title agreed to.

Senate bill No. 15 (File No. 17), entitled

A bill to amend sections 1 and 3 of chapter 5 of an act entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement, and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within this State," being act No. 243, public acts of 1881, approved June 8, 1881.

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Francis,	Kempf,	Shoemaker,
Brown,	Hawley,	Manwaring,	Smith, G. A.,
Carpenter,	Heisterman,	Monroe,	Smith, S. W.,
Cline,	Henry,	Moon,	Spencer,
Curtiss,	Hertzler,	Pennell,	Stephenson,
Davis,	Hubbell,	Phelps,	

27  
0

#### NAYS.

Title agreed to.

Senate bill No. 47 (File No. 18), entitled

A bill to amend section 1414 of Howell's Annotated Statutes, being section 3 of chapter 11 of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to the establishment, opening,

improvement and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within this State,"

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Francis,	Kempf,	Shoemaker,
Brown,	Hawley,	Manwaring,	Smith, G. A.,
Carpenter,	Heisterman,	Monroe,	Smith, S. W.,
Cline,	Henry,	Moon,	Spencer,
Curtis,	Hertzler,	Pennell,	Stephenson,
Davis,	Hubbell,	Phelps,	Woodruff, 28

## NAYS.

0

Title agreed to.

House bill No. 51 (file No. 19), entitled

A bill to authorize the killing of "English sparrows;"

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Francis,	Kempf,	Shoemaker,
Brown,	Hawley,	Manwaring,	Smith, G. A.,
Carpenter,	Heisterman,	Monroe,	Smith, S. W.,
Cline,	Henry,	Moon,	Spencer,
Curtis,	Hertzler,	Pennell,	Stephenson,
Davis,	Hubbell,	Phelps,	Woodruff, 28

## NAYS.

0

Title agreed to.

On motion of Mr. Manwaring.

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate joint resolution No. 2 (File No. 3), entitled

A joint resolution to amend the constitution so as to abolish the board of auditors of Wayne county.

The joint resolution having been read a third time, and the question being upon its passage, pending the taking of the vote thereon,

On motion of Mr. Sherwood,

The joint resolution was laid on the table.

By unanimous consent, the Senate returned to the order of

## REPORTS OF STANDING COMMITTEES.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 68 (File No. 32), entitled

A bill to re-incorporate the village of Quincy;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. G. A. Smith,

The Senate concurred in the amendments made to the bill by the committee.

On motion of Mr. G. A. Smith,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Francis moved that the bill be referred to the committee of the whole, and placed on the general order.

Mr. Hawley called for the yeas and nays.

The motion then did not prevail by yeas and nays as follows :

#### YEAS.

Mr. Belknap,	Mr. Hawley,	Mr. Hueston,	Mr. Pennell,	
Curtis,	Heisterman,	Kempf,	Phelps,	
Edwards,	Hortzler,	Manwaring,	Shoemaker,	
Francis,				13

#### NAYS.

Mr. Austin,	Mr. Davis,	Mr. Moon,	Mr. Spencer,	
Brown,	Henry,	Sherwood,	Stephenson,	
Carpenter,	Hubbell,	Smith, G. A.,	Woodruff,	
Cline,	Monroe,	Smith, S. W.,		15

By unanimous consent,

Mr. Hawley moved to amend the bill as follows: By striking out in section 8, lines 87 and 88, the words "To prevent the violation of the Sabbath, and the disturbance of any religious congregation, or any other public meeting assembled for any lawful purpose;"

Which motion did not prevail.

By unanimous consent,

Mr. Hawley moved to amend the bill as follows: By striking out of section 8, line 13, the words, "Suppress or;"

Which motion did not prevail.

The bill was then passed, a majority of all the Senators elect voting therefor by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Kempf,	Mr. Smith, G. A.,	
Belknap,	Henry,	Monroe,	Smith, S. W.,	
Brown,	Hertzler,	Moon,	Spencer,	
Carpenter,	Hubbell,	Pennell,	Stephenson,	
Curtis,	Hueston,	Sherwood,	Woodruff,	
Davis,				21

#### NAYS.

Mr. Hawley,	Mr. Heisterman,	Mr. Manwaring,	Mr. Phelps,	4
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Title agreed to.

On motion of Mr. G. A. Smith,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 157, entitled

A bill to incorporate the village of Harrison, in Clare county,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Woodruff,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards.	Mr. Kempf,	Mr. Sherwood,
Belknap,	Francis,	Manwaring,	Shoemaker,
Brown,	Heisterman,	Monroe,	Smith, S. W.,
Carpenter,	Henry,	Moon,	Spencer,
Cline,	Hertzler,	Pennell,	Stephenson,
Curtiss,	Hubbell,	Phelps,	Woodruff,
Davis,	Hueston,		

26

#### NAYS.

0

Title agreed to.

On motion of Mr. Woodruff,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

Senate bill No. 81, entitled

A bill to reincorporate the village of Imlay City, and to repeal act No. 323 session laws of 1873 as amended by act No. 323, session laws of 1875, approved April 4, 1875,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages to whom was referred

Senate bill No. 13, entitled

A bill to reincorporate the village of Armada, in the county of Macomb, and to repeal all laws inconsistent with the provisions of this act,

Respectfully report that they have the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.



The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Hubbell, previous notice not having been given and leave being granted, introduced

Senate joint resolution No. 12, entitled

Joint resolution authorizing loan of camp equipage to Knights of Pythias.

The joint resolution was read a first and second time by its title and referred to the committee on military affairs.

Mr. Hertzler asked and obtained leave of absence for himself until Monday, February 16.

On motion of Mr. Francis,

The Senate adjourned.

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*Lansing, Saturday Feb. 14, 1885.*

The Senate met, and was called to order by the President at 2 o'clock P. M. Prayer by the Rev. W. H. Thompson.

Roll called: a quorum present.

Absent without leave, Senators Belknap, Monroe, Pennell, and Phelps.

Mr. Curtis asked and obtained leave of absence for Mr. Belknap for the day.

Mr. Woodruff asked and obtained leave of absence for Mr. Phelps for the day.

Mr. Moon asked and obtained leave of absence for Mr. Monroe until Tuesday, February 17.

Mr. Hawley asked and obtained leave of absence for Mr. Pennell for the day.

Mr. G. A. Smith asked to be excused from further service on the committee on cities and villages.

The President excused Mr. G. A. Smith, and appointed Mr. Kempf to fill the vacancy in the committee.

#### PETITIONS.

No. 70. By Mr. Davis: Petition of Chas. Curtiss, W. H. Freeman, and 61 others, asking that a law be passed to prohibit the hunting of deer with dogs.

Referred to the committee on State affairs.

No. 71. By Mr. Francis: Petition of O. P. Askam, and 31 other citizens of South Boardman asking for the passage of House bill No. 76, and Senate bill No. 82.

Referred to the committee on public health.

No. 72. By Mr. Hueston: Remonstrance of Samuel Crawford, and 48 others, taxpayers of Springwells, against annexation of certain portion of the territory to the city of Detroit.

No. 73. By the same: Remonstrance of Felix Rushlow, and 17 others, for the same object.

No. 74. By the same: Remonstrance of George Webber, and 13 others, for the same object.

The three last named petitions were referred to the committee on cities and villages.

No. 75. By Mr. Hubbell: Petition of John C. Hodgson, and 6 others, citizens of Portage township, Houghton county, asking for a change of the boundary line between Adams and Portage township.

No. 76. By the same: Petition of C. B. Grant, and certain others, for the same object.

The last two petitions were referred to the committee on counties and townships.

#### REPORTS OF STANDING COMMITTEES.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 163, entitled

A bill to reincorporate the village of Sand Lake, in the county of Kent, and to repeal all acts and proceedings relating to its former incorporation;

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without recommendation, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

Mr. Manwaring moved to lay the bill on the table;

Which motion did not prevail.

On motion of Mr. Curtiss,

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

Senate bill No. 118, entitled

A bill to incorporate the village of Boyne City.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 201, entitled

A bill to incorporate the village of Gladwin, in the county of Gladwin;

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Henry,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Smith, G. A.,	
Brown,	Francis,	Kempf,	Smith, S. W.,	
Carpenter,	Hawley,	Manwaring,	Spencer,	
Cline,	Heisterman,	Moon,	Stephenson,	
Curtiss,	Henry,	Sherwood,	Woodruff,	
Davis,	Hubbell,	Shoemaker,		23

## NAYS.

0

Title agreed to.

On motion of Mr Henry,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 166 (File No. 66), entitled

A bill to amend an act entitled "An act to amend an act to incorporate the city of Marquette," as heretofore amended, which was approved March 10, 1878, so as to provide for five wards in said city;

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Stephenson,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Kempf,	Mr. Smith, G. A.,	
Brown,	Hawley,	Manwaring,	Smith, S. W.	
Carpenter,	Heisterman,	Moon,	Spencer,	
Curtiss,	Henry,	Sherwood,	Stephenson,	
Davis,	Hubbell,	Shoemaker,	Woodruff,	
Edwards,	Hueston,			22.

## NAYS.

0.

Title agreed to.

On motion of Mr. Stephenson,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 79, entitled

A bill to re-incorporate the village of Coopersville under the laws of 1875,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amend-

ment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

On motion of Mr. Curtiss,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Kempf,	Mr. Smith, G. A.,
Brown,	Francis,	Manwaring,	Smith, S. W.,
Carpenter,	Heisterman,	Moon,	Spencer,
Cline,	Henry,	Sherwood,	Stephenson,
Curtiss,	Hubbell,	Shoemaker,	Woodruff,
Davis,	Hueston,		

22

#### NAYS.

Mr. Hawley,

1

Title agreed to.

On motion of Mr. Curtiss,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committees on liquor traffic and constitutional amendments:

The committees on liquor traffic and constitutional amendments, to whom was referred

Senate joint resolution No. 4, entitled

Joint resolution proposing an amendment to article 4 of the constitution of this State relative to the prohibition of the manufacture and sale of spirituous, malt, and vinous liquors, and the rights of property therein, except for mechanical, medicinal, chemical, or scientific purposes, by adding a new section thereto, to stand as section 49;

Respectfully report that they have had the same under consideration and have directed us to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

EDWARD E. EDWARDS,

*Chairman committee on Liquor Traffic.*

SAMUEL W. SMITH,

*Chairman committee on Constitutional Amendments.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

#### MINORITY REPORT.

By unanimous consent the following minority report was received:

The undersigned member of the committees on liquor traffic, and constitutional amendments requests leave to submit the following minority report against the proposed amendment to the constitution to submit the question of constitutional prohibition to the people at the polls.

I desire to be committed to the proposition that drunkenness is a great evil, and I am as much opposed to the abuse of intoxicating liquors as anyone, but prohibition has never decreased drunkenness, pauperism or crime, and wherever

vigorous attempts have been made to enforce it these evils have increased, and where it was loosely or nominally enforced these evils have decreased.

Prohibition forbids and license regulates and prevents abuses.

Prohibition is incapable of enforcement, and when it is on the statute book it not only engenders and breeds contempt for that law, but for all laws.

A law against abuse is wise and proper, but against a desire it is unwise and dangerous. Rabelais well said, "It is the nature of men to long for things forbidden, and to desire things denied."

I believe that prohibition is a drunkard-maker, and that there is more drunkenness under a prohibitory law than there is under a well-regulated license system, and further, it is an undisputed fact that pauperism is greater in States where prohibition flourishes than in any of the others. It will not do to say merely that here is an abuse which must be put down; the lawmaker must be sure that the method proposed will put down the abuse and not aggravate it. The mere fact that liquor is often abused is not a valid reason for prohibiting its use. It should be shown that prohibition is the only remedy for abuse and that the remedy will be effectual. Our experience teaches that prohibition is not only an ineffectual remedy, but that a license law does far more than prohibition to lessen the evils of intemperance.

There is another point to which I wish to call your attention, and that is the large revenue which the liquor traffic pays to the people in the way of liquor taxes, and which relieves the people of so much taxation. In many towns the liquor taxes pay all the town's expenses, and the people are thereby greatly relieved of the burden of taxation. It is also very noticeable that there has not been a single petition presented at this session of the Legislature asking for the submission of the prohibitory amendment. This would show that the prohibitionists do not want it submitted now, and if, as it is claimed, the Republicans will vote against it at the polls, and the Democrats will vote against it at the polls, what is the use of going to the expense of voting it down?

There are some Senators who will probably vote for submitting this amendment to the people and yet vote against it at the polls. I could not do this. My vote signifies my approval, my desire for a measure, my judgment that it is right, my wish for its success, and hence to vote two different ways on the same principle is to my mind inconsistent.

If the framers of the constitution intended that an amendment should be submitted without the sincere approval of the members of the Legislature, why did they not provide that an amendment should be submitted whenever a certain number of voters asked for it. Why did they require that it should take a two-thirds vote of the members to secure its submission. The Legislature has no right to abandon its duty at the request of the prohibition party.

The essential part of our form of government is personal freedom, and its only limit is when it begins to invade the rights of others, and the function of government is to curb the abuse of and punish the violation of personal rights. What a man may eat, drink, or wear is strictly his own affair, and not his neighbor's, and even a rude comment on his action in such matters is a gross breach of the common rules of politeness. Our people are bred with a conviction of the sacredness of personal liberty, and when under the special plea of all tyrants, a benevolent care for the welfare of the individual, an attempt is made to deprive him of his personal liberty, it arouses all his manhood to resist the outrage or evade the law.

I totally disagree with Byron when he said, "Man, being reasonable, must get drunk." Drunkenness is an abuse and should be punished like any other misdemeanor. But no one proposes because there is theft and robbery to prohibit the acquisition of property. Some moralists, struck by the crime and misery growing out of the abuse of the desire which ensures the growth of nations have proposed to prohibit the gratification of that desire; but society has rejected their proposition and in the interest of morality itself, has licensed the gratification of that desire in the institution of marriage. And wherever laws have been passed which prohibited persons of small means from getting married illegitimate births have greatly increased.

When the law says a man shall not sell, the man who wants to drink finds some secret way of getting his liquor and lays in a stock at home, and instead of being an occasional customer of the seller he becomes a constant patron to himself; or perhaps he degrades himself by haunting a concealed liquor saloon, and soon contracts an uncontrollable desire for liquor. As a citizen of this State, profoundly desirous of her welfare and prosperity, I desire to see drunkenness decreased in any practical way; but I desire to solemnly protest against so impractical and foolish a measure as prohibition.

I believe that in the State of Michigan there are at least twenty-five millions of dollars invested in breweries, malt-houses, the liquor trade, and business connected with it, such as cooper-shops, ice houses, etc. That capital was invested in good faith, and prohibition would practically confiscate it. Such a law is, I think, clearly against justice and equity, and destructive of what every reflecting mind will consider as vested rights.

I therefore recommend that the joint resolution do not pass, and ask to be discharged from the further consideration of the subject.

Respectfully submitted,

THOMAS D. HAWLEY.

By the committee on insurance:

The committee on insurance, to whom was referred

House bill No. 47 (File No. 35), entitled

A bill to provide for the incorporation of mutual insurance companies to insure against cyclones, wind storms, and tornadoes, and defining their powers and duties;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

EDWARD E. EDWARDS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on public health:

The committee on public health to whom was assigned the duty of visiting the State House of Correction and Reformatory at Ionia, respectfully report that they did, on the 23d day of January, 1885, visit said institution and investigate the sanitary condition of the same, and noted its defects as pointed out by the committee appointed by the State Board of Health, at the request of the State Board of Corrections and Charities, in their report made November 20, 1884.

Your committee find, 1st, as to the sewerage, that the sewer from the building in which are located the offices of the institution is of nine inch tile, is

lower at its terminus by several feet, but from some cause empties into the basement, it appearing to be higher at some places just outside the building; then the tile are laid tortuous, and at about half-way to the deposit-basin it turns at a sharp angle, thus rendering it very much more difficult to flush and keep it clean.

Your committee quite agree with the committee of the State Board of Health that there is no remedy but to relay this sewer, larger tile being used. What is true of this sewer is true of all the other sewers leading from the other buildings. It has been argued that the small sewer is easier kept clean by flushing, but when your committee learned that these tiles had been repeatedly taken up in many places to clean them, and found them filled with all kinds of deposits, including overalls and other garments that had been put in the sewer, the iron grating over the sewer having been forcibly removed for the purpose, possibly to hide the evidence of the guilt of some inmate. At other times a large amount of waste paper and other material used in the different departments had found their way into the sewer and clogged it so that all the water at the disposal of the Warden was not sufficient to clear it. Taking into consideration the fact that at this time there are upwards of nine hundred prisoners, besides the officers, with all the attending waste, we think the tile should be at least twelve inch. The committee also think that all the sewers should be relaid and sharp angles avoided as far as possible, and that the water supply should be increased sufficient to keep them clear; this can be done without great expense to the State, as the labor can nearly all be done by the inmates, the State furnishing the tile.

In the workshops your committee find the closets, as described by the former committee, at the end of each department, partially shut off by thin boards, but really open into the shops. If it should not be thought best to remove these closets outside the building on account of the opportunity thus given convicts to escape, or other causes, they should be re-arrange so as to prevent the odor arising from them from passing into the shops. In their present condition, possibly, with enlarged sewers, all well trapped, a good supply of water would be a sufficient remedy.

All the shops need better ventilation, but your committee conclude that many radical changes in the ventilation of the various parts of the building, especially in the rotunda and prison wards, could not be made without destroying a large portion of the heavy masonry to replace the hot air coils necessary to the hot air system. The present condition, we think, could be improved, and it may be that piping leading from near the cells floor up to and through the roof would help some; but there are other things to think of, as while the State may be studying to make the inmates more comfortable it may at the same time furnish the means for their escape.

At the present time, under the operations of existing law, the reformatory is crowded beyond its capacity by several hundred, and with the hundreds of night buckets to be cared for, and with the filthy habits of many of the inmates, nothing but the most perfect system of ventilation would keep the atmosphere anything like free from contamination, and that would necessitate the re-building of the whole institution. The hospital needs careful ventilation. Possibly hot air coils could be applied here without great expense. This institution differs from our asylums, as they are one great hospital, while this is constantly being filled by short time inmates, who soon go back to freedom and fresh air.

In regard to the flooring: We found the stone flooring in the cook room

was very badly broken by the recent fire and some pieces gone, making receptacles for filth, but as these stones are laid in concrete but little harm can come from them. The brick floor in the bath room should be taken up and replaced by a cement one. The bath room would be still further improved by better drainage as recommended by the former committee. All the new arrivals are cleansed in this room, and all wash there. As to the lead pipe spoken of by the former committee, the standing committee will report more fully, though they have more or less effect upon the sanitary condition of the institution.

We found the plumbing very defective. It should have a thorough overhauling. As many of the pipes leak badly, some will have to be replaced by new ones, but others can be repaired. This too will be reported upon by your standing committee. In this report, following as it does the valuable report of the committee of the State Board of Health, which we submit herewith, we recommend that the repairs and improvements proposed in said report, be made under the direction of the State Board of Health and a competent engineer.

JAMES HUESTON, *Chairman.*

Report accepted and committee discharged.

The following is the report of the State Board of Health referred to:

*To the Members of the State Board of Health:*

GENTLEMEN—In compliance with a request from the Board of Corrections and Charities, and a resolution of this Board, your committee made an examination of the State House of Correction and Reformatory, at Ionia, on the 20th day of November, 1884, with a view to its sanitary condition and requirements. The committee would probably be stating nearly or quite the exact truth, if they said they found the sewerage, plumbing; and ventilation, in every part of all the buildings, in the worst possible condition. But to be more specific, the committee first examined the sewer leading from that part of the building where the offices are situated. The primary defect of this sewer seems to be, that it empties itself at the wrong end—that is, into the basement instead of into the catch-basin near the barn. The theory of the present engineer and warden, is, that the whole of that portion of the building has settled and carried down with it the house end of the sewer, until it is several inches lower in the basement, than it is a few feet from the house. This sewer is of six-inch tile, very tortuous in its course for about one hundred and fifty feet, where it connects with the main sewer. There is no flush tank, or any provision for flushing it except with hose attached to the hydrant in the yard. There is little or nothing to prevent garbage and refuse of any kind being thrown into the sinks in the kitchen and wash-rooms, and into the water closets, and from thence carried through the waste-pipes into the sewer. From this cause, and from another probable cause, that a portion of the sewer in the yard near the house is higher than at its commencement in the basement, the sewer has become filled up. A new sewer should be laid, leading from the basement of the office building to the main sewer. The engineer says there is ample fall between the basement and the point where this lateral connects with the main sewer. The plumbing connecting the kitchen, wash-room, bath-room, and water-closets with this sewer is in wretched condition, and should be replaced with new, with properly ventilated soil-pipes and approved traps. The floor in the large bath-room for the use of convicts, is of brick, hummocky, and without proper incline to allow the water to drain off at the center. This should be relaid with hard wood or concrete, with sufficient incline towards



the center to allow the water to drain off quickly and afford an opportunity for the room to become dry in a short time after being used.

Of the ventilation, or rather the want of it, in all the buildings comprised in this institution, it is difficult to speak with any degree of composure. There is an attempt to ventilate the cells by means of a shaft leading from each to the top of the second tier of cells, where it connects with a horizontal shaft running along on top of the brick-work. This shaft is supposed to open somewhere, but just where your committee was unable to ascertain. Each upright shaft is made to do duty for two cells, one above the other, but none of them are heated, nor is the horizontal shaft into which they open. There is an opening into these shafts at the bottom of each cell large enough to receive the night-bucket. Your committee consider this arrangement an admirable one for the equal distribution of poisonous gases through all the cells, but can hardly call it ventilation. In the shoe-shops your committee found that an attempt had been made to carry out the recommendations of a former committee of this Board, by placing steam coils in the few shafts put in when the shops were built. But these coils were not heated in the least, and the committee were unable to learn that they ever had been. Of course they were of no possible aid to ventilation. In the other shops not the least attempt to ventilate them has ever been made.

In the cigar shops the odor of tobacco and foul air was simply intolerable. In this shop some seventy-five or one hundred persons are employed—mostly young men and boys, and your committee could hardly fail to note the pallid faces of nearly all of them, and to feel that it is little less than barbarous to confine young men for eight or ten hours a day in such a foul atmosphere. In no part of any of the buildings connected with this institution is ventilation perfect, and in most parts there is none; and your committee fully agree with the suggestions contained in the late message of Gov. Alger, that this "institution needs a thorough overhauling." The water-closets for the accommodation of the shops occupy a space at the end of each, generally just in rear of the overseer's stand. A simple board partition on three sides separates them from the main portion of the halls. The plumbing in all of them is defective, and they are unventilated, permitting the foul odors arising from them to be distributed through that portion of the shops where they are situated, and rendering the overseer's position a very disagreeable, if not a dangerous one, and also contaminating the atmosphere of the whole shops. In the opinion of your committee, these closets should be removed outside of the walls of the shops.

In the room designed for a hospital, and under construction at the time of the visit of your committee, a ventilating flue is provided for each room. These flues are supposed to open into the attic. Your committee could not learn that any provision for heating them had been made, or that any was intended. These flues should be grouped, carried out through the roof, and heated. To make the repairs necessary to insure thorough ventilation of the buildings of this institution, to repair or replace the plumbing, and to relay the sewer, will require the expenditure of a considerable sum of money, an appropriation for which the present Legislature should not fail to make. Your committee would recommend that a competent architect be employed to make plans and specifications, and to superintend the details of the work.

All of which is respectfully submitted.

JNO. AVERY,  
C. V. TYLER,

*Committee.*

## NOTICES.

Mr. Shoemaker gave notice that on some future day he would ask leave to introduce

A bill to make an appropriation for the benefit of the fire department of Jackson for the protection of the property of the State in that city.

Mr. Hawley gave notice that on some future day he would ask leave to introduce

A bill to amend section 1 of act No. 52 of the session laws of 1883 by striking out the seventh clause.

Mr. Stephenson gave notice that on some future day he would ask leave to introduce

A bill to organize the township of Autrain.

Also,

A bill to provide for the punishment of public officers, their servants and agents, who knowingly and unlawfully appropriate to their own use, or to the use of others, the money or property committed to their care;

Also,

A bill to organize the county of Alger.

Mr. Kempf gave notice that at some future day he would ask leave to introduce

A bill to authorize the supervisor of the township of Dexter, Washtenaw county, Michigan, to make a re-assessment to defray the expenses of a public improvement in said township of Dexter made on a ditch known as "Dexter ditch No. 1," commencing on the north-east quarter of the north-west quarter of section 21 of said township, 516 feet east of the south-west corner of the same, thence south and easterly through parts of sections 21 and 28, thence northerly and easterly through parts of section 27 and section 22, thence easterly and southerly through section 23 to its termination in the southwest quarter of section 24.

Mr. Kempf gave notice that on some future day he would ask leave to introduce

A bill making an appropriation towards maintaining the fire department of the city of Ann Arbor.

Mr. Francis gave notice that at some future day he would ask leave to introduce

A joint resolution proposing an amendment to section 46 of Article IV. of the constitution of this State, relative to trial by jury;

Also,

A bill making an appropriation to aid in maintaining the fire department of the village of Traverse City.

Mr. Henry gave notice that on some future day he would ask leave to introduce

A bill to detach certain territory from the union school district of the township of Rogers, in Presque Isle county.

Mr. Shoemaker gave notice that on some future day he would ask leave to introduce

A bill to repeal section 64 of act 110 of the session laws of 1879, authorizing the managers of the House of Correction to draw warrants on the Auditor General;

Also,

A bill to repeal sections 61 and 69 of act 285 of the session laws of 1881,

being sections 9723 and 9731 of Howell's Annotated Statutes, relative to the State prison;

Also,

A bill to amend chapter 106 of the Compiled Laws of 1871, being chapter 167 of Howell's Annotated Statutes relative to industrial schools, by adding two new sections thereto, to stand as sections 7 and 8.

Mr. Hubbell gave notice that on some future day he would ask leave to introduce

A bill to amend sections 3, 9, and 25, and to repeal section 4, all of chapter 202 of the compiled laws of 1871, being compiler's sections 8033, 8039, 8055, and 8034, respectively, of Howell's Annotated Statutes, relative to garnishees.

Also,

A bill to amend section 15 of chapter 259 of the compiled laws of 1871, being section 9463 of Howell's Annotated Statutes, relative to the exclusion of witnesses and spectators at trials before magistrates;

Also,

A bill to amend section 28 of chapter 178 of the compiled laws of 1871, being compiler's section 6841 of Howell's Annotated Statutes of Michigan, relative to service of attachment issued from justices' court;

Also,

A bill to regulate the incorporation of associations to hold and manage property for religious purposes, and to consolidate, amend, and supersede sections 3131, 3132, and 3133 of the compiled laws of 1871, and act No. 4 of the public acts of 1875 amendatory thereof.

Mr. Spencer gave notice that on some future day he would ask leave to introduce

A bill asking for an appropriation to aid in sustaining a fire department in the city of Flint.

Mr. S. W. Smith gave notice that on some future day he would ask leave to introduce

A bill to amend act 137 of the laws of 1849, by adding a new section thereto, to stand as section 28, relative to authorizing proceedings against garnishees and for other purposes;

Also,

A bill to amend section 29 of chapter 202 of the compiled laws of 1871, relative to garnishees, being section 8085 of Howell's annotated statutes.

Mr. Curtiss gave notice that on some future day he would ask leave to introduce

A bill to amend section 12 of an act relative to free schools in the city of Grand Rapids.

#### MOTIONS AND RESOLUTIONS.

Mr. Kempf offered the following resolution:

*Resolved*, That when the Senate adjourns to-day, it stand adjourned until Monday at 8 P. M.

Mr. Edwards called for the yeas and nays.

The resolution was then adopted, by yeas and nays as follows:

#### YEAS.

Mr. Austin,  
Brown,  
Carpenter,

Mr. Curtiss,  
Davis,  
Hawley,

Mr. Heisterman,  
Kempf,  
Manwaring,

Mr. Shoemaker,  
Smith, S. W.,  
Spencer, 12

## NAYS.

Mr. Cline,	Mr. Henry,	Mr. Moon,	Mr. Stephenson,	
Edwards,	Hubbell,	Sherwood,	Woodruff,	
Francis,	Hueston,	Smith, G. A.,		11

Mr. Kempf offered the following resolution:

*Resolved*, That the rules of the Senate shall not be suspended for the passage of any bill: *Provided, however*, That after a bill has been referred to the proper committee, such committee may, if they deem the bill entitled to preferment, refer the same back to the Senate, with a recommendation that it be put upon its immediate passage.

On motion of Mr. Hubbell,

The resolution was referred to the committee on rules and joint rules.

## INTRODUCTION OF BILLS.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 13, entitled

A joint resolution for the relief of Hananiah D. Pugh, Claude C. Walker, and Edward W. Lowe.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 139, entitled

A bill for the establishment of a State house of correction and a branch of the State prison in the Upper Peninsula, and to provide for the location and erection thereof, and making an appropriation therefor.

The bill was read a first and second time by its title, and referred to the committees on appropriations and finance and State affairs, jointly.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 140, entitled

A bill to organize the county of Goodwin in the Upper Peninsula.

The bill was read a first and second time by its title and referred to the committee on counties and townships.

Mr. Cline, previous notice having been given and leave being granted, introduced

Senate bill No. 141, entitled

A bill to provide for bringing suits against coöperative and mutual insurance societies and associations organized under the laws of other States or territories, and doing business in this State,

The bill was read a first and second time by its title, and referred to the committee on insurance.

Mr. Curtiss, previous notice having been given and leave being granted, introduced

Senate bill No. 142, entitled

A bill to authorize the formation of electric clock and time companies.

The bill was read a first and second time by its title, and referred to the committee banks and incorporations.

Mr. Curtiss, previous notice having been given and leave being granted, introduced

Senate bill No. 143, entitled

A bill to provide for the continuance of actions in justices' courts.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Hubbell, previous notice having been given and leave being granted, introduced

Senate bill No. 144, entitled

A bill to provide a pension on the retirement or resignation of judges of the State courts, at the age of 70 years, and of twenty years' service.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Hubbell, previous notice not having been given, and leave being granted introduced

Senate joint resolution No. 14, entitled

Joint resolution providing for the re-argument of the case of "The State vs. The Iron Cliff Company."

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Henry, previous notice having been given and leave being granted introduced

Senate bill No. 145, entitled

A bill to amend section 1960 of the compiled laws of 1871 as amended by act No. 223 of the public acts of this State for the year 1879, being section 1985 of Howell's Annotated Statutes, relative to disorderly persons.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. Francis, previous notice having been given and leave being granted, introduced

Senate bill No. 146, entitled

A bill to incorporate the village of Frankfort.

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. Spencer, previous notice having been given and leave being granted, introduced

Senate bill No. 147, entitled

A bill making appropriation for building a carpenter shop and purchasing machinery therefor; for building a kitchen, containing lodgings for employés, and for building an infirmary and heating the same, at the Michigan asylum for the insane.

The bill was read a first and second time by its title and referred to the committees on asylums for the insane and appropriations and finance jointly.

Mr. Spencer, previous notice having been given and leave being granted, introduced

Senate bill No. 148, entitled

A bill authorizing and empowering the trustees of the Michigan asylum for the insane to purchase a tract of land lying north and east of the land now owned by the State and occupied by the asylum.

The bill was read a first and second time by its title, and referred to the committee on asylums for the insane and appropriations and finance jointly.

Mr. S. W. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 149, entitled

A bill to amend sections 3 and 6 of chapter 34 of the revised statutes of 1846, relating to money of account and the interest of money, and on judgments, verdicts, etc.; also, section 1 of act No. 11 of the session laws of 1869 relating to interest upon installments falling due upon written contracts, being sections 1594, 1597, and 1599 of Howell's Annotated Statutes of Michigan.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. S. W. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 150, entitled

A bill to repeal act 192 of the session laws of 1879, entitled "An act to provide a punishment for libel and slander."

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. S. W. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 151, entitled

A bill to enlarge the supreme court, and increase the salaries of the justices thereof.

The bill was read a first and second time by its title and referred to the committee on appropriations and finances and the judiciary jointly.

By unanimous consent, the Senate returned to the order of

#### NOTICES.

Mr. S. W. Smith gave notice that on some future day he would ask leave to introduce

A bill to amend chapter 245 of the compiled laws of 1871, being chapter 318 of title 34 of Howell's Annotated Statutes, relative to offenses against property, and to stand as section 9177.

Mr. Henry gave notice that on some future day he would ask leave to introduce

A bill to reincorporate the village of Roscommon.

Mr. Kempf asked and obtained leave of absence for himself until Tuesday, February 17.

Mr. Manwaring asked and obtained leave of absence for himself until Tuesday, February 17.

Mr. Edwards moved to reconsider the vote by which the Senate to-day adopted the following resolution:

*Resolved*, That when the Senate adjourns to-day it stand adjourned until Monday at 8 P. M.

Which motion prevailed.

The question being on the adoption of the resolution,

Mr. Francis called for the yeas and nays.

Mr. G. A. Smith moved to amend the resolution by striking out "8 P. M." and inserting "2 P. M."

Mr. Manwaring called for the yeas and nays.

Pending the taking of the vote,

Mr. Hubbell moved that the Senate do now adjourn.

Mr. Edwards called for the yeas and nays.

The motion to adjourn then prevailed.

## YEAS.

Mr. Brown, Carpenter, Oline, Curtiss,	Mr. Davis, Edwards, Francis, Heisterman,	Mr. Henry, Hubbell, Hueston, Kempf,	Mr. Sherwood, Smith, G. A., Stephenson, Woodruff, 16
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## NAYS.

Mr. Austin, Hawley,	Mr. Manwaring, Moon,	Mr. Shoemaker, Smith, S. W.,	Mr. Spencer,	7
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The Senate adjourned.

*Lansing, Monday, February 16, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.  
Prayer by the Rev. Dr. Jameson.

Roll called: a quorum present.

Absent without leave: Senators Austin, Brown, Belknap, Cline, Phelps, and Shoemaker.

Mr. Carpenter asked and obtained leave of absence for Mr. Brown indefinitely on account of sickness.

Mr. Curtiss asked and obtained leave of absence for all the other absentees for the day.

The President announced that Senator Austin was to-day absent from roll call for the first time during three sessions of the Legislature.

## PETITIONS.

No. 77. By Mr. Hubbell: Petition of C. E. Cameron and 27 other citizens of Becon, Marquette county, for the passage of Senate bill No. 82, regulating pharmaceutical practice in Michigan;

Referred to the committee on public health.

No. 78. By Mr. Francis: Petition of F. J. Meech and 16 others of Charlevoix county, for the same object;

Referred to committee on public health.

No. 79. By Mr. G. A. Smith: Resolutions of the board of supervisors of Hillsdale county relative to assessment of property;

Referred to the special committee on taxation.

No. 80. By Mr. Edwards: Resolutions of the board of supervisors of Mason county for the same object:

Referred to the special committee on taxation.

## MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, {  
*Lansing, February 16, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following concurrent resolution:

**WHEREAS**, There seems to be a difference of opinion as to the amount for mileage and expenses, which the members of the several committees visiting State institutions are entitled to; therefore

**Resolved**, That the judiciary committees of the two houses be requested to examine the law and report the amount which members of the above mentioned committees are legally entitled to draw for mileage and expenses in visiting State institutions;

In the passage of which the House has concurred.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

Referred to committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 14, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following joint resolution:

House joint resolution No. 13 (File 8), entitled

Joint resolution authorizing the Governor to issue a patent to William H. Gordon for the northeast quarter of the northeast quarter of section 16, town 4 north of range 13 west, Michigan, the same being primary school land;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The joint resolution was read a first and second time by its title and referred to the committee on public lands.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 14, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 8, entitled

A bill to establish uniform time in the State of Michigan;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 14, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

House bill No. 110 (File No. 37), entitled

A bill to provide for the payment of certain drain taxes apportioned on State



lands, in accordance with the provisions of section 21 of act number 269, session laws of 1881;

House bill No. 15 (File No. 16), entitled

A bill to amend section 4 of an act entitled "An act supplementary to an act entitled 'An act to establish the Detroit House of Correction and to authorize the confinement of convicted persons therein,'" approved March 27, 1867, being compiler's section 9867 of Howell's Annotated Statutes, and to add a new section thereto, to stand as section 7 of said act, in place of section 7 which was repealed by act No. 67, approved May 10, 1879;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title and referred to the committee on the judiciary.

#### NOTICES.

Mr. Hubbell gave notice that on some future day he would ask leave to introduce

A bill to establish a mining and industrial school to be located in the upper peninsula of Michigan.

Mr. Hawley, gave notice that on some future day he would ask leave to introduce

A bill to provide for the registration of births, marriages, and deaths, and to repeal chapter 16 of the compiled laws of 1871, being chapter 23 of Howell's Annotated Statutes.

Mr. Moon gave notice that on some future day he would ask leave to introduce

A bill to amend the 1st and 4th paragraphs of section 11 and the 14th paragraph of Sec. 13 of act No. 9 of the session laws of 1882, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon."

Mr. Stephenson gave notice that on some future day he would ask leave to introduce

A joint resolution extending the time for the completion of the Marquette, Houghton & Ontonagon Railroad;

Also,

A bill to amend sections 2 and 7 of act No. 169 of the public acts of 1881, to increase the salary of the State Librarian.

Mr. Edwards gave notice that on some future day he would ask leave to introduce

A joint resolution proposing amendments to sections 3, 6, 7, 8, 9, 10, and 11 of article 10 of the constitution of this State, so as to provide for a board of county commissioners in each of the counties of this State, instead of a board of supervisors or county auditors.

Mr. Henry gave notice that on some future day he would ask leave to introduce

A bill to authorize and empower the board of control of State swamp lands to make an appropriation of State swamp lands to drain and reclaim certain

swamp lands and overflowed lands known as Grass lake in the township of Au Sable in the county of Iosco;

Also,

A bill to provide for the disposal of all State swamp lands owned and in no way disposed of under any law of this State on the first day of January, A. D. 1886.

Mr. Spencer gave notice that on some future day he would ask leave to introduce

A bill to provide for the examination of teachers by the school board of union school district No. (1) one, township of Fenton, Genesee county, Michigan;

Also,

A bill making an appropriation for the erection of two infirmary buildings at the Eastern Michigan Asylum at Pontiac.

#### INTRODUCTION OF BILLS.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 152, entitled

A bill to reincorporate the village of Roscommon.

The bill was read a first and second time by its title, ordered printed for the use of the committee, and referred to the committee on cities and villages.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 153, entitled

A bill to organize the county of Alger.

The bill was read a first and second time by its title, and referred to the committee on counties and townships.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 154, entitled

A bill to organize the township of Autrain.

The bill was read a first and second time by its title and referred to the committee on counties and townships.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 155, entitled

A bill to provide for the punishment of public officers, their servants and agents, who knowingly and unlawfully appropriate to their own use, or to the use of others, the money or property committed to their care;

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 156, entitled

A bill to detach certain territory from the union school district of the township of Rogers, Presque Isle county;

The bill was read a first and second time by its title, and referred to the committee on education and public schools.

Mr. Hubbell, by request, previous notice having been given and leave being granted, introduced

Senate bill No. 157, entitled

A bill to amend section 15 of chapter 259 of the compiled laws of 1871, being section 9468 of Howell's Annotated Statutes, relative to the exclusion of witnesses and spectators at trials before magistrates;

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hubbell, by request, previous notice having been given and leave being granted, introduced

Senate bill No. 158, entitled

A bill to amend section 28 of chapter 178 of the compiled laws of 1871, being compiler's section 6841 of Howell's Annotated Statutes of Michigan, relative to service of attachment issued from justices' courts.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hubbell, by request, previous notice having been given and leave being granted, introduced

Senate bill No. 159, entitled

A bill to regulate the incorporation of associations to hold and manage property for religious purposes, and to consolidate, amend, and supersede sections 3131, 3132, and 3133 of the compiled laws of 1871, and act No. 4 of the public acts of 1875 amendatory thereof.

The bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

Mr. Hubbell, by request, previous notice having been given and leave being granted, introduced

Senate bill No. 160, entitled

A bill to amend sections 3, 9, and 25, and to repeal section 4, all of chapter 202 of the compiled laws of 1871, being compiler's sections 8033, 8039, 8055, and 8054, respectively, of Howell's Annotated Statutes, relative to garnishees.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. S. W. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 161, entitled

A bill to amend act 137 of the laws of 1849 by adding a new section thereto, to stand as section 28, relative to authorizing proceedings against garnishees and for other purposes.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. S. W. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 162, entitled

A bill to amend chapter 245 of the compiled laws of 1871, being chapter 318 of title 34 of Howell's Annotated Statutes, relative to offenses against property, and to stand as section 9177.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. S. W. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 163, entitled

A bill to amend section 29 of chapter 203 of the compiled laws of 1871, relative to garnishees, being section 8085 of Howell's Annotated Statutes.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

GENERAL ORDER.

On motion of Mr. Edwards,

The Senate went into committee of the whole on the general order,

Mr. Hawley in the chair.

After some time spent therein, the committee rose, and, through their chairman made the following report:

The committee of the whole have had under consideration the following:

1. Senate bill No. 54 (File No. 25), entitled

A bill to attach the county of Isle Royal to the county of Houghton for judicial purposes;

2. Senate bill No. 59 (File No. 39), entitled

A bill to provide for the review of motions for new trials by the Supreme Court;

3. Senate bill No. 60 (File No. 40), entitled

A bill to amend compiler's section 5727 of the compiled laws of 1871, being section 6 of chapter 257 of Howell's Annotated Statutes of Michigan, so as to specify the times for the issue and return of original writs in personal actions, and provide for common return days for said writs;

4. House bill No. 102 (File No. 36), entitled

A bill to amend section 1 of act No. 157 of the session laws of 1881, being section 4309 of Howell's Annotated Statutes, entitled "An act to authorize the incorporation of a Michigan millers' mutual fire insurance company;"

5. Senate bill No. 20 (File No. 8), entitled

A bill to amend section 29 of article 2 of act No. 198 of the session laws of 1873, being an act entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State;"

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

The committee of the whole have had under consideration the following:

6. Senate bill No. 28 (File No. 21), entitled

A bill to amend sections 70 and 71 of chapter 19 of "Howell's Annotated Statutes," being compiler's sections 744 and 745, relative to township boards;

7. Senate bill No. 44 (File No. 22), entitled

A bill to amend section 7606 of Howell's Annotated Statutes, being compiler's section 6026 of the compiled laws of 1871, relative to the trial of issues of fact;

8. Senate bill No. 21 (File No. 34), entitled

A bill to amend section 6856 of Howell's Annotated Statutes relating to jurisdiction of justices of the peace;

9. Senate bill No. 7 (File No. 38), entitled

A bill to amend continuous section 2368 of volume 1 of Howell's Annotated Statutes of Michigan of the year 1882;

10. House bill No. 47 (File No. 35), entitled

A bill to provide for the incorporation of mutual insurance companies to insure against cyclones, wind storms, and tornadoes, and defining their powers and duties;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

T. D. HAWLEY, *Chairman*.

Report accepted and committee discharged.

The first five bills first named were placed on the order of third reading of bills.

On motion of Mr. Hawley,

The Senate concurred in the amendments made by the committee to the five last named bills, and the same were placed on the order of third reading of bills.

Mr. Woodruff moved to discharge the committee of the whole from the further consideration of

House bill No. 73, entitled

A bill to correct the records and legalize the proceedings had in laying out certain drains in the township of Warren in the county of Midland;

Which motion prevailed.

On motion of Mr. Woodruff,

The bill was referred to the committee on the judiciary.

On motion of Mr. S. W. Smith,

The Senate adjourned.

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*Lansing, Tuesday, February 17, 1885.*

The Senate met, and was called to order by the President *pro tem.* at 2 o'clock P. M.

Prayer by the Rev. Dr. Jameson.

Roll called: a quorum present.

Absent without leave: Senators Oline and Monroe.

Mr. Hawley asked and obtained leave of absence for Mr. Oline for the day,

Mr. Kempf asked and obtained leave of absence for Mr. Monroe for the day.

#### PETITIONS.

No. 81. By Mr. S. W. Smith: Petition of N. B. Smith and 23 others, of Oakland county, for passage of bill to promote efficiency of pharmacy;

Referred to committee on public health.

No. 82. By Mr. Curtiss: Petition of O. J. Bissell, M. D., of Fort Scott, Kansas, asking the privilege to bring suit against the State;

Referred to committee on the judiciary.

No. 83. By Mr. Hawley: Petition of B. Stegry for annexation of part of Hamtramck to Detroit;

No. 84. By same: Petition of Geo. P. Baker, for same object.

No. 55. By same: Petition of C. Bewick for same object.

The three named petitions were referred to the committee on cities and villages.

No. 86. by Mr. Moon: Petition of L. G. Wheeler and six others for passage of bill to regulate practice of pharmacy;

Referred to committee on public health.

#### REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 96 (File No. 28), entitled

A bill to amend section 1 of act No. 251 of the session laws of 1881, being section 2198 of Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committees on public health and State affairs:

The committees on public health and State affairs, to whom was referred

Senate bill No. 82, entitled

A bill to regulate practice of pharmacy in the State of Michigan,

Respectfully report that they have had the same under consideration, and that the committee on public health and a majority of the committee on State affairs have directed us to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES HUESTON,

*Chairman Committee on Public Health.*

FITCH PHELPS,

*Chairman Committee on State Affairs.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary.

The committee on judiciary of the Senate and House to whom was jointly referred the following concurrent resolution:

WHEREAS, There seems to be a difference of opinion as to the amount for mileage and expenses, which the members of the several committees visiting State institutions are entitled to; therefore

*Resolved*, That the judiciary committees of the two houses be requested to examine the law and report the amount which members of the above mentioned committees are legally entitled to draw for mileage and expenses in visiting State institutions;

Having jointly considered the same, respectfully report that they have had the same under consideration, and have directed us to report the same back to the Senate and House, with the opinion that in the judgment of the said joint

committee, legislative committees visiting State institutions are entitled to receive actual expenses incurred for travel in visiting such institutions.

JAY A. HUBBELL,

*Chairman Senate Judiciary Committee.*

DANIEL P. MARKEY,

*Chairman House Judiciary Committee.*

Report accepted and committee discharged.

On motion of Mr. Manwaring, the Senate concurred in the adoption of the report.

By the joint select committee on taxation:

The joint select committee on taxation, to whom was referred

House bill No. 121, entitled

A bill providing for the exemption from poll tax of discharged soldiers, sailors, and marines, residents of the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it be referred to the committee on roads and bridges, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was referred to the committee on roads and bridges in accordance with the report.

By the joint select committee on taxation:

The joint select committee on taxation to whom was referred

Senate bill No. 121, entitled

A bill to prohibit the levying of highway and drain taxes on the islands in Saginaw bay,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it be referred to the committee on roads and bridges, and ask to be discharged from the further consideration of the subject.

J. A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was referred to the committee on roads and bridges, in accordance with the report.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Substitute for Senate Manuscript bill No. 8, entitled

A bill to establish uniform time in the State of Michigan.

J. W. BELKNAP, *Chairman.*

Report accepted.

By the committee on the State Reform School:

The committee on the State Reform School, in compliance with a resolution of the Senate of January 30, asking "That each one of the several committees on State institutions be and they are hereby instructed to report to the Senate at as early a day as practicable the average daily attendance of the inmates of the institution, and the average daily cost to the State for each inmate of the following items: Fuel, books, furniture, food, amusements,

bedding, salaries, light, medicine, and clothing; and the total daily average cost of maintenance,"

Would respectfully submit the following statement showing the average daily attendance and cost of inmates at the Reform School at Lansing, for the biennial period ending September 30, 1884:

Average daily attendance of inmates.....	384	00
Average daily cost for:	Cents.	Mills.
Fuel .....	2	5.4
Lights.....	1	2.3
Books (library).....	0	1.6
Furniture.....	0	6.0
Hospital (including physician's salary).....	0	0.4
Bedding .....	0	0.4
Provisions .....	8	9.9
Salaries (includes all officers and employés) .....	11	0.3
Clothing and shoes .....	3	6.0
Total .....	28	2.3
Total cost of maintenance per day .....	29	1.7

The amount expended for amusements is so exceedingly small as to be hardly susceptible of computation, and as we have no ledger account under that heading it would be a very large work to pick out the items from the other accounts.

H. C. SPENCER, *Chairman*.

Report accepted and committee discharged.

By the special committee on election laws:

The special committee on election laws, in accordance with a resolution of the Senate, have appointed S. B. McCracken, of Detroit, clerk of said committee.

J. W. BELKNAP, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Belknap,

The Senate concurred in the adoption of the report.

The committee on agricultural interests submitted a report on

Senate bill No. 127, entitled

A bill to provide for the protection and benefit of keepers of stallions in this State.

Mr. Manwaring moved that the bill and report be re-referred to the committee.

Mr. Hubbell called for the yeas and nays.

The motion then prevailed by yeas and nays as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Sherwood,
Carveth,	Francis,	Manwaring,	Shoemaker,
Curtiss,	Heisterman,	Pennell,	Smith, S. W.,
Davenport,	Henry,	Pulver,	Spencer,
Davis,	Hertzler,		18

#### NAYS.

Mr. Carpenter,	Mr. Moon,	Mr. Smith, G. A.,	Mr. Woodruff,
Hubbell,	Phelps,	Stephenson,	President
Kempf,			<i>pro tem.</i> 9



## NOTICES.

Mr. Francis gave notice that on some future day he would ask leave to introduce

A bill to amend section 703 of the compiled laws of 1871, as amended by act No. 53 of the session laws of 1873, being section 741 of Howell's Annotated Statutes;

Also,

A bill to amend sections 43 and 49 of act No. 9 of the session laws of 1882, entitled "An act to provide for the assessment of property, and the levy and collection of taxes thereon," approved March 14, 1882.

Mr. Stephenson gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the city of Menominee, incorporated by act No. 88 of the session laws of 1883.

Mr. Spencer gave notice that on some future day he would ask leave to introduce

A bill to amend sections 44 and 45 of chapter 147 of the compiled laws of 1871, relative to estates in real property, being section 5560 and 5561 of Howell's Annotated Statutes.

Mr. Kempf gave notice that at some future day he would ask leave to introduce

A bill to provide for the placing under ground all telegraph, telephone, and electric light wires in the incorporated cities in the State of Michigan.

Mr. Austin gave notice that on some future day he would ask leave to introduce

A bill to repeal section 26 of act No. 177, session laws of 1859.

Mr. Carpenter gave notice that on some future day he would ask leave to introduce

A bill to prevent the sale of, or traffic in, animals affected with the disease known as the glanders.

Mr. Hawley gave notice that on some future day he would ask leave to introduce

A bill to amend an act entitled "An act No. 127, laws of 1879, as amended by act No. 49, laws of 1881, and further amended by act No. 20, laws of 1883," being an act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to repeal act No. 181 of the session laws of 1875 approved May 1, 1875, and act No. 196 of the session laws of 1877 approved May 22, 1877.

## INTRODUCTION OF BILLS.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 164, entitled

A bill to authorize and empower the board of control of State swamp lands to make an appropriation of State swamp lands to drain and reclaim certain swamp lands and overflowed lands known as Grass lake, in the township of Au Sable, in the county of Iosco.

The bill was read a first and second time by its title, and referred to the committees on State affairs and judiciary.

Mr. Curtiss, previous notice having been given and leave being granted, introduced

Senate bill No. 165, entitled

A bill to amend section 12 of an act relative to free schools in Grand Rapids.

The bill was read a first and second time by its title and referred to the committee on education and public schools.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 166, entitled

A bill to provide for the disposal of all State swamp lands owned and in no way disposed of under any law of this State on the first day of January, A. D. 1886.

The bill was read a first and second time by its title and referred to the committee on State affairs.

Mr. Kempf, previous notice having been given and leave being granted, introduced

Senate bill No. 167, entitled

A bill to authorize the supervisor of the township of Dexter, Washtenaw county, Michigan, to make a re-assessment to defray the expenses of a public improvement in said township of Dexter made on a ditch known as "Dexter ditch No. 1," commencing on the northeast quarter of the northwest quarter of section 21 of said township, 516 feet east of the southwest corner of the same, thence south and easterly through parts of sections 21 and 28, thence northerly and easterly through parts of section 27 and section 22, thence easterly and southerly through section 23 to its termination in the southwest quarter of section 24.

The bill was read a first and second time by its title, and referred to the committee on counties and townships.

Mr. Hueston, previous notice having been given and leave being granted, introduced

Senate bill No. 168, entitled

A bill to provide for the appointment and maintenance of State game and fish wardens.

The bill was read a first and second time by its title and referred to the committee on State affairs.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 169, entitled

A bill to amend sections 2 and 7 of act No. 169 of the public acts of 1881, to increase the salary of the State Librarian.

The bill was read a first and second time by its title and referred to the committee on State library.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 15, entitled

Joint resolution extending the time for the completion of the Marquette, Houghton & Ontonagon railroad.

The joint resolution was read a first and second time by its title and referred to the committee on judiciary.

Mr. Hawley, previous notice having been given and leave being granted introduced

Senate bill No. 170, entitled

A bill to provide for the registration of births, marriages, and deaths, and to repeal chapter 16 of the compiled laws of 1871, being chapter 23 of Howell's Annotated Statutes.

The bill was read a first and second time by its title and referred to the committee on State affairs.

Mr. Spencer, previous notice having been given and leave being granted, introduced

Senate bill No. 171, entitled

A bill making an appropriation for the erection of two infirmary buildings at the Eastern Michigan Asylum at Pontiac.

The bill was read a first and second time by its title, and referred to the committees on asylums for insane and appropriations and finance.

Mr. Spencer, previous notice having been given and leave being granted, introduced

Senate bill No. 172, entitled

A bill to provide for the examination of teachers by the school board of union school district No. (1) one, township of Fenton, Genesee county, Michigan.

The bill was read a first and second time by its title, and referred to the committee on education and public schools.

Mr. Shoemaker, previous notice having been given and leave being granted introduced

Senate bill No. 173, entitled

A bill to repeal section 69 of act 285 of the laws of 1881, being section 9731 of Howell's Annotated Statutes, authorizing and requiring the auditor general to draw his warrant on the treasurer for such sums as the inspectors of the State prison may from time to time direct.

The bill was read a first and second time by its title, and referred to the committees on State prison and appropriations and finance.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 174, entitled

A bill to repeal section 64 of act 110 of the session laws of 1879, being section 9806 of Howell's Annotated Statutes, requiring the Auditor General to draw his warrant on the treasurer for such sums as the managers of the State House of Correction shall from time to time direct.

The bill was read a first and second time by its title and referred to the committee on State house of correction, and appropriations and finance.

### THIRD READING OF BILLS.

Senate bill No. 54 (File No. 25), entitled

A bill to attach the county of Isle Royal to the county of Houghton for judicial purposes,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Austin,	Mr. Francis,	Mr. Kempf,	Mr. Shoemaker,
Carpenter,	Hawley,	Manwaring,	Smith, G. A.,
Carveth,	Heisterman,	Moon,	Smith, S. W.,
Curtiss,	Henry,	Pennell,	Spencer,
Davenport,	Hertzler.	Phelps,	Stephenson,
Davis,	Hubbell,	Pulver,	Woodruff,

Mr. Edwards,      Mr. Hueston,      Mr. Sherwood,      Mr. President  
*pro tem.* 28  
0

## NAYS.

Title agreed to.

On motion of Mr. Hubbell,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 59 (File No. 39), entitled

A bill to provide for the review of motions for new trials by the Supreme Court,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Carpenter,	Mr. Hawley,	Mr. Kempf,	Mr. Smith, G. A.,
Curtiss,	Heisterman,	Manwaring,	Smith, S. W.,
Davenport,	Henry,	Moon,	Spencer,
Davis,	Hertzler,	Pennell,	Stephenson,
Edwards,	Hubbell,	Pulver,	Woodruff,
Francis,	Hueston,	Sherwood,	President,
			<i>pro tem.</i> 24

## NAYS.

Mr. Carveth,

1

Title agreed to.

Senate bill No. 60 (File No. 40), entitled

A bill to amend compiler's section 5727 of the compiled laws of 1871, being section 6 of chapter 257 of Howell's Annotated Statutes of Michigan, so as to specify the times for the issue and return of original writs in personal actions, and provide for common return days for said writs,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Hueston,	Mr. Pulver,
Carpenter,	Hawley,	Kempf,	Sherwood,
Carveth,	Heisterman,	Manwaring,	Smith, G. A.,
Curtiss,	Henry,	Moon,	Smith, S. W.,
Davenport,	Hertzler,	Pennell,	Stephenson,
Davis,	Hubbell,	Phelps,	President
Edwards,			<i>pro tem.</i> 25

## NAYS.

0

Title agreed to.

Mr. Edwards moved that the bill be ordered to take immediate effect,

Which motion did not prevail, two-thirds of all the Senators elect not voting therefor.

House bill No. 102 (File No. 36), entitled

A bill to amend section 1 of act No. 157 of the session laws of 1881, being section 4309 of Howell's Annotated Statutes, entitled "An act to authorize the incorporation of a Michigan Millers' Mutual Fire Insurance Company,"

Was read a third time and pending the taking of the vote thereon,

Mr. Hubbell moved that the same be amended by striking out in second section 1 the words "The People of the State of Michigan enact;"

Which motion prevailed and the bill was so amended.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Kempf,	Mr. Shoemaker,
Carpenter,	Hawley,	Manwaring,	Smith, G. A.,
Carveth,	Heisterman,	Moon,	Smith, S. W.
Curtiss,	Henry,	Pennell,	Spencer,
Davenport,	Hertzler,	Phelps,	Stephenson,
Davis,	Hubbell,	Pulver,	Woodruff,
Edwards,	Hueston,	Sherwood,	President,
			<i>pro tem.</i> 28
			0

## NAYS.

Title agreed to.

On motion of Mr. Manwaring,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 28 (File No. 21), entitled

A bill to amend sections 70 and 71 of chapter 19 of Howell's Annotated Statutes, being compiler's sections 744 and 745 relative to township boards,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Kempf,	Mr. Smith, G. A.,
Carpenter,	Hawley,	Manwaring,	Smith, S. W.,
Carveth,	Heisterman,	Moon,	Spencer,
Curtis,	Henry,	Pennell,	Stephenson,
Davenport,	Hertzler,	Phelps,	Woodruff,
Davis,	Hubbell,	Pulver,	President
Edwards,	Hueston,	Sherwood,	<i>pro tem.</i> 27
			0

## NAYS.

The question being on agreeing to the title,

Mr. G. A. Smith moved to amend the title so as to read as follows:

A bill to amend sections 70 and 71 of chapter 12 of an act entitled "Townships and township officers," of the compiled laws of 1871, being compiler's sections 744 and 745 of Howell's Annotated Statutes, relative to township boards;

Which motion prevailed.

The title as amended was then agreed to.

Mr. Shoemaker moved to reconsider the vote by which the Senate passed the bill;

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. G. A. Smith,

The bill was laid on the table.

Senate bill No. 44 (File No. 22), entitled

A bill to amend section 7606 of Howell's Annotated Statutes, being compiler's section 6026 of the compiled laws of 1871, relative to the trial of issues of fact,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Kempf,	Mr. Shoemaker,
Carpenter,	Hawley,	Manwaring,	Smith, G. A.,
Carveth,	Heisterman,	Moon,	Smith, S. W.,
Curtiss,	Henry,	Pennell,	Spencer,
Davenport,	Hertzler,	Phelps,	Stephenson,
Davis,	Hubbell,	Pulver,	Woodruff,
Edwards.	Hueston,	Sherwood,	President
			<i>pro tem.</i> 28

## NAYS.

0

Title agreed to.

Senate bill No. 21 (File No. 34), entitled

A bill to amend section 6856 of Howell's Annotated Statutes, relating to jurisdiction of justices of the peace,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent,

Mr. Carveth moved to amend the bill as follows:

1. By striking out in section 1, line 4, the words "or in action of replevin;"
2. By inserting in section 1, line 5, after the word "dollars," the words, "and in actions of replevin where the value of the property does not exceed the sum of three hundred dollars;"

Pending which,

Mr. Henry moved that the further consideration of the bill be indefinitely postponed.

Mr. Henry called for the yeas and nays.

The motion did not prevail, by yeas and nays as follows:

## YEAS.

Mr. Curtiss,	Mr. Francis,	Mr. Phelps,	Mr. Shoemaker,
Davenport,	Henry,		6

## NAYS.

Mr. Austin,	Mr. Heisterman,	Mr. Manwaring,	Mr. Smith, G. A.,
Carpenter,	Hertzler,	Moon,	Smith, S. W.,
Carveth,	Hubbell,	Pennell,	Spencer,
Davis,	Hueston,	Pulver,	Woodruff,
Edwards,	Kempf,	Sherwood,	President
Hawley,			<i>pro tem.</i> 21

Mr. Henry moved that the bill be recommitted to the committee on judiciary.

Mr. Carveth moved to amend the motion so that the bill should be recommitted to the committee of the whole;

Which motion prevailed.

The motion as amended then prevailed, and the bill was recommitted to the committee of the whole and placed on the general order.

Senate bill No. 7 (File No. 38), entitled

A bill to amend continuous section 2368 of volume 1 of Howell's Annotated Statutes of Michigan, of the year 1882,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Kempf,	Mr. Smith, G. A.,
Carpenter,	Francis,	Moon,	Smith, S. W.,
Carveth,	Henry,	Pennell,	Spencer,
Curtiss,	Hertzler,	Pulver,	Stephenson,
Davenport,	Hubbell,	Sherwood,	Woodruff,
Davis,	Hueston,	Shoemaker,	President
			<i>pro tem.</i> , 24
			0

## NAYS.

The question being on agreeing to the title,

Mr. Hubbell moved to amend the title so as to read as follows:

A bill to amend section 4, of act 191, of the session laws of 1877, as amended by act 216, of the session laws of 1881, being section 2368, of Howell's Annotated Statutes of Michigan, of the year 1882;

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Hubbell,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

House bill No. 47 (File No. 35), entitled

A bill to provide for the incorporation of mutual insurance companies to insure against cyclones, wind storms, and tornadoes, and defining their powers and duties,

Was read a third time, and pending the taking of the vote thereon,

Mr. Shoemaker moved that the same be laid on the table;

Which motion prevailed.

## EXECUTIVE SESSION.

On motion of Mr. Hubbell,

The Senate went into executive session, the time being 4:45 P. M.

The executive session closed, the time being 5:08 P. M.

On motion of Mr. Shoemaker,

The Senate adjourned.

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*Lansing, Wednesday, February 18, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.  
Prayer by Rev. Mr. Franklin.

Roll called: quorum present.

## PETITIONS.

No. 87. By Mr. Hawley: Resolutions of the Merchants and Manufacturers' Exchange of Detroit in regard to annexation;  
Referred to the committee on cities and villages.

No. 88. By Mr. Shoemaker: Memorial of the Board of Regents of the University of Michigan.

On motion of Mr. Shoemaker,

The memorial was ordered printed in the Journal and referred to the committee on the university.

The following is the memorial:

*To the Honorable, the Senate and House of Representatives:*

The undersigned, Regents of the University, in accordance with their custom respectfully beg leave to lay before the Legislature in the plainest and frankest manner, what they deem to be the pressing needs of the institution committed to their charge by the people of the State. They regard it as their duty to make known what in their opinion is essential to the prosperity and usefulness of the great school of learning, which Michigan has founded and nourished for the training and culture of her children. It is for your honorable body to decide to what extent the wants of the University shall be supplied.

I. Certain appropriations which have been made by previous Legislatures for periods of two years, must be renewed if the work dependent on them is to be continued. We have no means for doing that work except that which is furnished by specific appropriations. The provision made by the last Legislature having been simply for 1883 and 1884, of course terminated on the first of January, 1885. The Regents are carrying on the schools and hospitals thus far in 1885 in anticipation of the appropriations. Simply to continue the work, which rests on these biennial appropriations now exhausted, there is need of the following appropriations:

	1885.	1886.
1. Dental College, current expenses.....	\$6,000	\$6,000
2. University Hospital, current expenses.....	3,500	3,500
3. Assistance in Mechanical Laboratory.....	1,000	1,000
4. Homœopathic Medical College, current expenses.....	2,000	2,000
5. Homœopathic Medical College, additional professor.....	2,200	2,200
6. Homœopathic Hospital.....	2,000	2,000
	<hr/>	<hr/>
	\$16,700	\$16,700

(The Homœopathic Medical College also receives \$6,000 a year in accordance with the act of 1875, which provision does not expire biennially.)

In our opinion there is a strong necessity for increasing by small sums two of the above named appropriations.

The Dental College has increased its term from six months to nine months, and consequently the salaries of its professors should be increased. We earnestly recommend that \$8,000 a year be appropriated. By the extent and thoroughness of its instruction, this dental college has won a wide renown. It is one of the two in this country whose diplomas are recognized in Great Britain.

The University hospital, owing to its large number of patients, is in most pressing need of \$5,000 a year. In the hospitals, it should be understood, our medical professors furnish gratuitous medical and surgical treatment to the patients, and by their care restore to lives of productive activity many persons who would otherwise become a charge to the counties. The patients pay for their board, the State furnishes the buildings, heating and lighting, equipment, furniture, and the wages of assistants and nurses.

II. We next desire to call your attention to another class of wants, which are quite as pressing as any we have named.



1. An annual appropriation is needed for the purchase of books for our various libraries. These libraries are the sources of strength in every department of the University. The Legislature of 1881 showed their appreciation of this fact by giving us the means for erecting our fine fire-proof library building as a safe repository for our books. The last Legislature showed a similar appreciation of the fact by voting us \$15,000 for the purchase of books. That sum has enabled us to fill many bad gaps in our collections and has greatly strengthened our library at many points. We think that we need the same amount for the next two years for the supply of books to the general library, the law library, the medical libraries, the dental library, the chemical library, and the astronomical library. Our library, with its 42,000 volumes, is still in size much behind the libraries of several of our colleges. Cornell, Columbia, and Princeton have each 60,000 volumes, Dartmouth 61,000, Brown 62,000, Yale 120,000, and Harvard 290,000 volumes, while the prominent European Universities have each from 200,000 to 300,000 volumes.

2. We greatly need a clock for the library tower. It will be readily seen that with our large number of students and our large number of recitations and lectures, punctuality is of the highest importance. And punctuality cannot be well secured unless we have on the ground some standard of time to which all may at once refer. Our present inconveniences are often very grave. We may properly add, also, that three generous friends of the University several months ago placed in the library tower a peal of bells, so arranged that a clock may strike the hours and quarter hours on them. But the clock we have not been able to purchase. A suitable clock can be placed in the tower for \$2,000.

3. We need a considerable sum for general repairs of buildings. In the straightened condition of our treasury we have perhaps practiced an excessive economy in respect to our buildings. But the time has come when extensive repairs can no longer be postponed without serious detriment to the property of the State. You will not expect us to go into details in this memorial. But careful estimates have been made by experts, and these can be laid before you or scrutinized by your committees. The sum, which in our judgment is needed for repairs, is \$22,000. When it is remembered that we have twelve buildings, most of them large, and an estimated value of \$490,000, this request will seem reasonable.

4. We desire to direct your attention to our mechanical laboratory and its value to all our students of engineering, and especially mechanical engineering. This was one of the very first colleges or universities (if not the very first) to set up courses in science and in engineering parallel to the old traditional courses in arts. A professor of engineering was appointed as early as 1854. For thirty-one years we have been training engineers, many of whom have rendered conspicuous service to the public and have won renown for the engineering department of the University. We now have three professors and three assistant professors and one assistant or instructor, whose services are almost exclusively given to engineering students. The last calendar shows that we had last year seventy-two regular candidates for degrees in engineering, civil, mining, or mechanical, and there are always some special students in this department.

At the same time that the University was developing its engineering department, it was also pushing in several other directions technological work, or the application of the sciences of the arts. It established its now renowned observatory for the education of astronomers. It built and has repeatedly enlarged its chemical laboratory, which has now become one of the largest in

the world, and has there taught the applications of chemistry to mineralogy and metallurgy, to manufacturing processes, to sanitary investigations, and in general to the practical arts of life. It has founded and built up a school of pharmacy, for the training of druggists, which stands at the head of such schools in this country. It has given instructions in architecture. It has established physical, physiological, zoölogical, botanical, geological and microscopical laboratories, in which the sciences, in their practical bearings and uses are taught. It has collected a large and valuable scientific library, and apparatus illustrative of all the sciences. For some years this varied work was described in the University Calendar under the heading "The Polytechnic School," as it did in fact cover a larger field than most of the prominent schools of technology in this country. There is, we may say without presumption, hardly a school of technology in the United States which gives more varied or thorough instruction of this sort, than the University after its thirty years of development of its technological work, now offers to its students.

We have long desired larger facilities for instructing our scientific students, and especially our engineering students in the nature and quality of building materials and in mechanical processes with which they will have to do in their professional career. Having done all we could without special help, we asked and received from the Legislature of 1881 the sum of \$2,500 for the erection and furnishing of a small shop. The United States government soon detailed a very competent naval engineer officer to give instruction. He has most efficiently taught shop-work, mechanical engineering, and steam engineering, and is prepared to teach marine engineering and ship building. The last Legislature appropriated \$1,500 for the purchase of machines and tools, and we made an abandoned carpenter shop furnish us the additional room needed for the rapidly increasing number of students who desired instruction in shop-work. Our aim has been primarily to make the course of service to engineering students, who would in their professional life be called to direct the labors of mechanics and artisans. We have sought to make them familiar by actual handling of tools and machines with the processes of working in wood and iron, and of casting metals. There has been great enthusiasm for the work, and we have not room enough for the applicants for admission to the shops. The best manufacturers of tools and machines have become interested in our enterprise and have sent us models and machines of the value of more than \$2,000.

We have reached the point where we have outgrown our accommodations. We have aimed to provide, as far as our means would allow, an ample technical training for those who were to guide our industries whether as civil, mining, or mechanical engineers. We have always acted on the belief that Michigan is certain to develop more and more her mechanical and manufacturing industries and, with her long line of coast and other favoring circumstances of situation, may hope to develop her ship-building, and therefore have sought to enlarge our facilities for the most thorough and practical instruction in the principles of mechanism and construction. We need a large shop and more machinery and the steam power to drive the machinery.

We estimate that a brick shop with needed machinery, prepared to instruct ninety students, can be provided for about \$25,000, and the annual charge for instruction in the shops would be \$4,000. (This would include the \$1,000 mentioned on page 2.) All the subsidiary instruction in mathematics, science, etc., needed by the students, is already provided for, and can be given with no additional expense.

We beg to call your attention to the fact that we do not desire to enter upon some new department of work, but simply to provide properly for the natural growth and development of an old department, which, existing now for a whole generation, has, with limited means, already accomplished so much. We need to enlarge our shops because not one-half of our students now on the ground, who desire and need the privileges of them, can at present find admission to them.

5. It is earnestly desired by the engineering department, that the students engaged in the study of the strength and resistance of the various building materials, should have opportunity to determine the facts for themselves, and to verify the statements of the text-books. An appropriation of \$5,000 is asked for a testing machine, fitted with attachments for tension, compression, and bending tests, and for measuring the change of form under strain. Builders, engineers, and other in Michigan, can then have samples of iron, wood, stone, cement, etc., tested for strength, and obtain a report of their behavior under strain. Such machines are in use in nearly all of the technical schools of importance.

6. In obedience to urgent suggestions from members of the last legislative committee, and to what seemed to be a demand of public opinion, we have extended the law term from six months to nine months, to furnish more thorough and complete instruction. This seems to render necessary an additional expense for salaries, of \$2,800.

7. In so large and complicated an organization as ours, there are always certain necessary expenses, resulting from circumstances, which were not and could not be foreseen. For instance, an unexpected influx of students in some department renders a new instructor necessary. Sometimes important repairs are suddenly found inevitable. We are always obliged to set apart in our estimates a considerable sum for what we call contingent expenses; these are paid from the general fund. That fund is at present overdrawn, and we need \$7,500 a year for the next two years, to make good, in part, that overdraft, and to meet the contingent expenses which will be sure to come.

8. What the University most needs is an increase of its general fund. Certain specific needs are provided for by specific appropriations by successive Legislatures. But the great bulk of our expenses are met by the general fund, which is derived from three sources: 1. The proceeds of the United States grant of lands; 2. From the one-twentieth mill tax on the property of the State; 3. From students' fees. The income from these sources is usually about \$140,000. The general fund, thus made up, is drawn upon for all the expenditures not met by specific appropriations, that is, for nearly all the salaries, for repairs of buildings, for fuel and lights, for all the expenses of administration, and for all miscellaneous and contingent expenses.

Now it is obvious that, as the years go on, these expenditures must increase if the University continues to grow. Every new building which is erected entails some new expense for the care of it, for repairs, for heating and lighting. The new library has made an addition of \$3,000 a year to our fixed charges. Increase in the number of students calls for more teachers. Improved methods of instruction often call for a larger outlay. For instance, we have for ten years been more and more completely employing in teaching the sciences, laboratory methods, in which actual manipulation and experimentation are resorted to by the student. These methods require more apparatus, more room, more teachers than the old methods. All these mean more expense. For want of funds we are unable now to employ as many teachers as we need

in certain branches. This is particularly true of the modern languages and of English. The work is therefore not so effectively done as we could wish. We have been unwilling to trouble the Legislature with requests for funds to pay an instructor here and an instructor there, though we have occasionally asked for help in sustaining some of the special schools. We have generally preferred to wait in the hope that our resources might in some way ultimately suffice to meet such wants. The development of the institution has forced upon us more problems than we can hope to solve without more help. We have reached a point where we must stop growing and improving or be provided with more ample means. We are not prepared to believe that either the Legislature or the people, desire that the University should stop growing or improving.

Now the general fund cannot be increased from the proceeds of the United States grant. The lands are sold. It cannot be increased with sufficient rapidity to meet our needs by the increase in the amount of students' fees. We are, therefore, confronted with the question whether the Legislature will be disposed to raise the one-twentieth mill tax to one-tenth mill. That would give us \$40,500 a year more than we now receive. Should that increase be given us, we could dispense with many of the special requests which we are now compelled to present to the Legislature at each session.

Of course we could not avail ourselves of the proceeds of the increased income until 1886. But if we could receive the whole of the increase, \$40,500, next year, although special appropriations would be required for all the needs of 1885, we should, in 1886, be compelled to ask for but a moderate sum for our regular expenses. In that case it would seem that \$62,000 would be needed in 1885 for our current expenses as follows, and \$90,000, if the mechanical laboratory should be built and furnished:

Repairs (one-half of total sum required).....	\$11,000
Books for libraries.....	7,500
Homœopathic college (if act of 1875 is repealed).....	6,000
Homœopathic college—current expenses.....	2,000
Homœopathic college—additional professor.....	2,200
Homœopathic hospital.....	2,000
University hospital.....	5,000
Dental college.....	8,000
Clock.....	2,000
Assistance in mechanical laboratory.....	1,000
Increase in salaries in law school, due to extension of term.....	2,800
Contingent expenses.....	7,500
Testing machine.....	5,000
	<hr/>
	\$62,000
Add for mechanical laboratory.....	25,000
Additional assistance if new laboratory is built.....	3,000
	<hr/>
	\$90,000

Inasmuch as the above expenses, \$90,000, (except those for the clock, the testing machine and the mechanical laboratory) would have to be incurred for 1886, and the increased income from the tax would be \$40,500, it is clear that \$14,500 or \$17,500, if the mechanical laboratory is built and the additional assistance furnished, should be provided for the general fund for 1886, if it is

to carry all the burdens of the University, including the colleges and hospitals, which have been carried by appropriations. If the plan of enlarging the general fund and of sustaining the homœopathic college and the dental college and the hospitals from it should meet the approbation of the Legislature, we should be very ready to see it adopted. We believe it would result in improved administration and economy, and would strengthen both the two colleges and the whole University. As every dollar we expend for any purpose is accounted for to the auditor general's office, the expenditures would be as fully within the control and under the surveillance of the State as they now are.

Our neighbor, the State of Wisconsin, devotes to the support of its University, one-eighth mill tax, a rate twice and a half as large as ours, and the young State of Colorado provides for its University by a tax of two-fifths of a mill, a rate eight times as large as ours.

It is really essential to the best efficiency of a university organized on so large a scale as ours that it should know with reasonable certainty what are to be its revenues for some time to come. It should be able, when it invites students to take up certain lines of work, to be sure that it can provide for their instruction through their course and in the best way. Its policy must have stability and permanency. It should have far-reaching plans, it cannot wisely take up work this year and drop it in the next. It should have a steady, healthy development and life. We believe therefore that the assured increase of income, which would be yielded by the substitution of a tax of one-tenth mill for the present tax of one-twentieth mill would be of great advantage to the University and so to the State, which the University aims to serve.

It will be convenient to sum up our statement of our work in the form of alternative requests.

### I.

If the one-twentieth mill tax is increased to one-tenth mill, our request would be as follows:

1. Amendment to the act of 1873, by substituting one-tenth mill for one-twentieth.
2. Repeal of act of 1875, which grants \$6,000 a year to the Homœopathic medical college.
3. Appropriations as follows:

FOR 1885.	
Repairs.....	\$11,000
Books for libraries.....	7,500
Homœopathic college.....	10,200
Homœopathic hospital.....	2,000
University hospital.....	5,000
Dental college.....	8,000
Clock.....	2,000
Assistance in mechanical laboratory.....	1,000
Assistance, additional, for new laboratory.....	3,000
Testing machine.....	5,000
Increase of salaries in law school, due to extension of term.....	2,800
Contingent expenses.....	7,500
Mechanical laboratory, building and equipment.....	25,000
	<hr/>
	\$90,000
FOR 1886.	
For the general fund.....	\$17,500

## II.

If the change in the one-twentieth mill tax is not made, then our request will be as follows, provided the act of 1875, granting \$6,000 to the Homœopathic college remains unrepealed :

	1885.	1886.
Assistance in mechanical laboratory.....	\$1,000	\$1,000
Assistance (additional for new laboratory).....	3,000	3,000
Homœopathic college, current expenses.....	2,000	2,000
Homœopathic college, additional professor.....	2,200	2,200
Homœopathic hospital.....	2,000	2,000
University hospital.....	3,000	5,000
Dental college, current expenses.....	8,000	8,000
Books for library.....	7,500	7,500
Clock.....	2,000	
Repairs.....	11,000	11,000
Increase of salaries, law school, due to extension of term...	2,800	2,800
Mechanical laboratory and equipment.....	25,000	
Testing machine.....	5,000	
Contingent expenses.....	7,500	7,500
<b>Total</b> .....	<b>\$84,000</b>	<b>\$52,000</b>

It will be seen that the sum which the State has been asked to furnish is the same under the two plans.

In case the one-twentieth mill tax is raised to one-tenth mill and the act which now affords \$6,000 a year to the homœopathic medical college is repealed, the sums asked are: Appropriation for 1885, \$90,000; for 1886, \$17,500; increase of tax, \$40,500; total, \$148,000.

In case the tax is not increased, and the homœopathic act above referred to remains in force, the sums asked are: Appropriations for 1885, \$84,000; 1886, \$52,000; total, \$136,000. Add the permanent homœopathic appropriation, \$6,000 a year, \$12,000, and we have the sum total \$148,000.

9. Finally, in accordance with the request of the faculty of the literary department, we would ask that section 4969 of Howell's Annotated Statutes be so amended that persons who have obtained a Bachelor's degree at the University and have in addition obtained a teacher's diploma (which diploma is granted only to those who have taken special courses in the University in the science and art of teaching) should have the privilege now accorded to graduates of the Normal School, of procuring a license to teach by virtue of holding both the Bachelor's and teacher's diploma of the University.

GEORGE DUFFIELD,	JACOB J. VAN RIPER,
JAMES SHEARER,	E. O. GROSVENOR,
AUSTIN BLAIR,	JAMES F. JOY,
ARTHUR M. CLARK,	CHARLES J. WILLETT.

No. 89. By Mr. Sherwood: Petition of M. C. Barnes and 48 others of Berrien county, relating to pharmaceutical practice in Michigan;

Referred to committee on public health.

No. 90. By Mr. Carveth: Petition of Eldridge Potter and 39 others, for the passage of a bill granting bounties to Michigan soldiers;

Referred to committee on military affairs.

No. 91. By Mr. Phelps: Remonstrance of James E. Lovell and 150 others,

citizens of Manistee, against the passage of Senate bill No. 16 to better preserve and protect deer in this State;

Referred to the committee on State affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred Senate bill No. 76, entitled

A bill to establish a homeopathic medical college in this State,

Respectfully report the same back with the recommendation that it be printed and re-referred to the committee.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed and re-referred to the committee.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 107 (File No. 56), entitled

A bill to provide for the incorporation, and to define the objects of the order of the Sons of Industry,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred

House bill No. 154 (File No. 53), entitled

A bill to amend an act entitled "An act to protect fish and preserve the fisheries of this State," and being act No. 350 of the session laws of 1865, approved March 21, 1865, and all the acts amendatory thereto, and being found as amended in chapter 63, compiler's section 2195, Howell's Annotated Statutes of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

R. KEMPF, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 75, entitled

A bill to amend section 17 of chapter 175 of an act entitled "An act to define the limits, jurisdiction, and powers of circuit courts" of the compiled laws of 1871, being compiler's section 6474 of Howell's Annotated Statutes, relative to the sum to be paid by parties demanding juries,

Respectfully report that they have had the same under consideration, and

have directed me to report the same back to the Senate, without amendment, and without recommendation as to its passage, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Carveth,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 126, entitled

A bill to amend section 7612 of the compiled laws of 1871, relative to the protection of land, and punishment for cutting and carrying away timber therefrom,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY. A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 36 (File No. 36), entitled

A bill for the relief of purchasers and settlers on swamp lands,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on rules and joint rules.

The committee on rules and joint rules, to whom was referred the following resolution:

*Resolved*, That the rules of the Senate shall not be suspended for the passage of any bill: *Provided, however*, That after a bill has been referred to the proper committee, such committee may, if they deem the bill entitled to preferment, refer the same back to the Senate, with a recommendation that it be put upon its immediate passage,

Would respectfully report that they have had the same under consideration, and recommend that the same be adopted, and ask to be discharged from the further consideration of the subject.

H. H. PULVER, *Chairman*.

Report accepted and committee discharged.

The question being on the adoption of the resolution,

Mr. Hubbell offered the following resolution:



*Resolved*, That the resolution be recommitted to the committee on rules and joint rules with instructions to report a rule making it in order to move to suspend the rules only on certain specified days in each month, and that no motion be entertained to suspend the rules on a bill which has not received a favorable report by a committee.

Mr. Hubbell called for the yeas and nays.

The resolution was then not adopted, by yeas and nays, as follows:

YEAS.

Mr. Brown, Carpenter, Carveth,	Mr. Cline, Davis, Edwards,	Mr. Heisterman, Henry, Hubbell,	Mr. Phelps, Stephenson, Woodruff,	12
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NAYS.

Mr. Austin, Belknap, Curtiss, Davenport, Francis,	Mr. Hawley, Hertzler, Hueston, Kempf, Manwaring,	Mr. Monroe, Moon, Pennell, Pulver, Sherwood,	Mr. Shoemaker, Smith, G. A., Smith, S. W., Spencer,	19
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The question being on the adoption of the resolution reported by the committee,

Mr. Edwards offered the following amendment to the resolution:

Add to the end thereof the words, "which if concurred in by two thirds of the members present, shall have the effect to put the bill upon its immediate passage;"

Pending which,

Mr. Pennell moved to lay the resolution and amendment on the table;  
Which motion prevailed.

By the committee on cities and villages:

The committee on cities and villages to whom was referred  
Senate bill No. 137, entitled

A bill to incorporate the village of Ontonagon,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

Mr. Hubbell moved to suspend the rules and place the bill on its immediate passage;

Which motion did not prevail, two-thirds of all the Senators present not voting therefor.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICE,  
Lansing, February 18, 1885. }

To the Senate:

I have this day approved, signed, and deposited in the office of the Secretary of State,

An act to legalize the assessment roll of the township of Watertown, in the county of Clinton, for the year 1879.

RUSSELL A. ALGER,  
*Governor.*

The message was laid on the table.

The President also announced the following:

EXECUTIVE OFFICE,  
*Lansing, January 7, 1885.* }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State,

An act to establish uniform time in the State of Michigan.

RUSSELL A. ALGER,  
*Governor.*

The message was laid on the table.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 17, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 128 (File No. 70), entitled

A bill to amend section 1 of chapter 32 of the compiled laws of 1871, entitled "An act to provide for the recording of town plats and for vacating the same in certain cases," being compiler's section No. 1344, as amended by act No. 108 of the session laws of 1873, and section 1, chapter 32 Howell's Annotated Statutes;

Which has passed the House by a majority vote of all the members elect and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 17, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following:

Senate joint resolution No. 6 (File No. 2), entitled

Joint resolution to provide for the exhibition of the horticultural and pomological productions of this State, at the exhibition of the American Pomological Society, to be held at Grand Rapids, Michigan, in September, 1885,

In the passage of which, the House has concurred by a two-thirds majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives,*

On motion of Mr. Austin,

By a vote of two-thirds of the Senators elect, the joint resolution was ordered to take immediate effect.

The joint resolution was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 17, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 162 (File No. 68), entitled

A bill to detach the county of Ogemaw from the 18th judicial circuit, and attach the same to the 23d judicial circuit;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

#### NOTICES.

Mr. Hawley gave notice that on some future day he would ask leave to introduce

A bill to regulate the conveyance of convicts to State institutions;

Also,

A bill to amend section 2 of chapter 4 of act No. 326 of the session laws of 1883, entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883;

Also,

A bill to authorize the Governor to appoint an expert book-keeper to examine the books of the Board of Auditors of Wayne county.

Mr. Edwards gave notice that on some future day he would ask leave to introduce

A joint resolution to provide for alphabetically indexing the names of all soldiers from this State in the late war, found upon the records of the Adjutant General's office.

Mr. Stephenson gave notice that on some future day he would ask leave to introduce

A bill to amend section 15 of act 269 of the session laws of 1881, entitled "An act to revise and consolidate the laws of this State providing for the drainage of swamps and marshes and other low lands, and to repeal the acts of March 22, 1869, and April 13, 1871, known as the county drain law and township drain law, approved June 11, 1881;

Also,

A bill to amend sections 2, 3, 4, 9, and 14, of chapter 2, and to add a new section to said chapter to stand as section 15; and to amend sections 4 and 6 of chapter 4, and to amend section 4 of chapter 11 of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement and maintenance of high-

ways and private roads, and the building, repairing, and preservation of bridges within this State," approved June 8, 1881.

Mr. Manwaring gave notice that on some future day he would ask leave to introduce

A bill to amend sections 6947 and 6948 of Howell's Annotated Statutes, being compiler's sections 5382 and 5383 of compiled laws of 1871, relative to assignment of judgments in justices' courts.

Mr. Manwaring gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Attica, Lapeer county.

Mr. Woodruff gave notice that on some future day he would ask leave to introduce

A bill to prevent saloons from being maintained in the vicinity of schools;

Also,

A bill to amend section 73, of chapter 19, of title 5 of Howell's Annotated Statutes, being compiler's section 747, entitled "of the powers and duties of townships, and election and duties of township officers."

Mr. G. A. Smith gave notice that on some future day he would ask leave to introduce

A bill to amend section 2, of act No. 108, of the session laws of 1871, as amended, being compiler's section 4207 of Howell's Annotated Statutes, relative to insurance.

Mr. Shoemaker gave notice that on some future day he would ask leave to introduce

A bill making an appropriation for the use and maintenance of the University of Michigan;

Also,

A bill to extend aid to University of Michigan, and to repeal section 1 of act No. 32 of the session laws of 1873, being section 4944 of Howell's Annotated Statutes;

Also,

A bill to repeal section two of act 128 of the laws of 1875, entitled "An act for the establishment of a homœopathic medical department of the University of Michigan," being section 4933 of Howell's Annotated Statutes.

Mr. Austin gave notice that on some future day he would ask leave to introduce

A bill making an appropriation for the State Industrial Home for Girls, for the years 1885 and 1886.

Mr. Belknap gave notice that on some future day he would ask leave to introduce

A bill to provide for the registration of electors;

Also,

A bill to regulate the holding of general and special elections and the canvass and return of votes.

Mr. Henry gave notice that on some future day he would ask leave to introduce

A bill to provide for the collection and publication of statistics of divorce in the State.

Mr. Pulver gave notice that on some future day he would ask leave to introduce

A bill to require foreign corporations engaged in mining or smelting cop-

per and other ores in minerals, within this State, to make certain and specific reports of their business, under certain penalties and forfeitures.

Mr. S. W. Smith gave notice that on some future day he would ask leave to introduce

A bill to prevent the manufacture and sale of "oleomargarine," and 'butterine.'

Mr. Curtiss gave notice that on some future day he would ask leave to introduce

A bill to abolish the State board of health.

Mr. Kempf gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the city of Ann Arbor.

Mr. Shoemaker gave notice that on some future day he would ask leave to introduce

A bill making appropriations for the use and maintenance of the University of Michigan for the years 1885 and 1886.

#### MOTIONS AND RESOLUTIONS.

Mr. G. A. Smith moved to take from the table

Senate bill No. 28 (File No. 21), entitled

A bill to amend sections 70 and 71 of chapter 19 of "Howell's Annotated Statutes," being compiler's sections 744 and 745, relative to township boards.

The bill having been read a third time, and the question being upon its passage,

The same was passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hubbell,	Mr. Phelps,
Belknap,	Davis,	Hueston,	Pulver,
Brown,	Edwards,	Kempf,	Smith, G. A.,
Carpenter,	Hawley,	Manwaring,	Smith, S. W.,
Carveth,	Heisterman,	Monroe,	Spencer,
Cline,	Henry,	Moon,	Stephenson,
Curtiss,	Hertzler,	Pennell,	

27  
0

#### NAYS.

The question being on agreeing to the title,

Mr. G. A. Smith moved to amend the title so as to read as follows:

A bill to amend sections 70 and 71 of chapter 19 of Howell's Annotated Statutes, being compiler's sections 744 and 745, being sections 706 and 707 of the compiled laws of 1871, relative to township boards;

Which motion prevailed.

The title as amended was then agreed to.

Mr. S. W. Smith offered the following resolution:

*Resolved*, That when the Senate adjourns this week, it adjourn Friday afternoon and stand adjourned until Monday evening next at 8 o'clock.

Mr. Henry moved to lay the resolution on the table.

Mr. Manwaring called for the yeas and nays.

The motion to lay on the table prevailed, by yeas and nays as follows:

## YEAS.

Mr. Belknap, Brown, Davenport, Edwards,	Mr. Heisterman, Henry, Hueston, Manwaring,	Mr. Phelps, Pulver, Sherwood, Shoemaker,	Mr. Smith, G. A., Stephenson, Woodruff,
			15

## NAYS.

Mr. Carpenter, Carveth, Cline, Davis,	Mr. Francis, Hawley, Hertzler,	Mr. Hubbell, Kempf, Moon,	Mr. Pennell, Smith, S. W., Spencer,
			13

Mr. Kempf moved to take from the table the following concurrent resolution :

*Resolved by the House of Representatives* (the Senate concurring), That 700 copies, in addition to the number provided for by law, of the annual report of the State Board of Fish Commissioners for the years 1883-4, be allowed said commission for distribution among the fishermen and other interested parties in the State, and that the State Board of Auditors be and are hereby directed to audit and allow the bill for printing the same ;

Which motion prevailed.

The question being on the adoption of the concurrent resolution,

Mr. Shoemaker moved to refer the concurrent resolution to the committees on fisheries and printing, jointly.

Which motion prevailed.

Mr. Carveth moved that a respectful message be sent by the Secretary to the House, asking the return of Senate bill No. 59, (File No. 39), entitled

A bill to provide for the review of motions for new trials by the supreme courts ;

Which motion prevailed.

## INTRODUCTION OF BILLS.

Mr. Hubbell, previous notice not having been given, and leave being granted, introduced

Senate bill No. 175, entitled

A bill to amend sections 1 to 109, inclusive, of act No. 9 of public acts of 1882, entitled "An act to provide for the assessment of property, and the levy and collection of taxes thereon," approved March 14, 1882 ;

The bill was read a first and second time by its title, and referred to the joint select committee on taxation.

Mr. Hubbell, previous notice not having been given and leave being granted, introduced

Senate bill No. 176, entitled

A bill to change and fix the boundary line between the counties of Houghton and Baraga.

The bill was read a first and second time by its title and on motion of Mr. Hubbell, was ordered printed, and referred to the committee on counties and townships.

Mr. Hubbell, previous notice not having been given and leave being granted, introduced

Senate bill No. 177, entitled

A bill to provide for the admission of parol evidence in certain cases.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Edwards, previous notice having been given, and leave being granted, introduced

Senate joint resolution No. 16, entitled

A joint resolution proposing amendments to sections 3, 6, 7, 8, 9, 10, and 11 of article 10 of the constitution of this State, so as to provide for a board of county commissioners in each of the counties of this State, instead of a board of supervisors or county auditors.

The joint resolution was read a first and second time by its title and referred to the committee on constitutional amendments.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 178, entitled

A bill to amend act No. 192 of the session laws of 1879, being section 9315 of Howell's Annotated Statutes, relative to punishment for libel and slander, and to add one new section thereto to stand as section 2.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Kempf, previous notice having been given and leave being granted, introduced

Senate bill No. 179, entitled

A bill to provide for the placing under ground all telegraph, telephone, and electric light wires in the incorporated cities of the State of Michigan.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Carveth, previous notice not having been given and leave being granted, introduced

Senate bill No. 180, entitled

A bill amendatory of section 2, chapter 262 of the compiled laws of 1871, relative to settling and return of exceptions in criminal cases.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 181, entitled

A bill to amend an act entitled "An act No. 127, laws of 1879, as amended by act No. 49, laws of 1881, and further amended by act No. 20, laws of 1883," being an act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to repeal act No. 181 of the session laws of 1875 approved May 1, 1875, and act No. 196 of the session laws of 1877, approved May 22, 1877.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 182, entitled

A bill to provide for the safety of life and property in the city of Detroit.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Cline, previous notice having been given and leave being granted, introduced

Senate bill No. 183, entitled

A bill to repeal act No. 5 of the session laws of 1883, approved February 21, 1883, entitled "An act to regulate the setting and placing of trap nets or other fishing apparatus in the rivers of this State."

The bill was read a first and second time by its title, and referred to the committee on fisheries.

Mr. Cline, previous notice having been given and leave being granted, introduced

Senate bill No. 184, entitled

A bill to amend section 1, of act No. 350, of the session laws of 1865, approved March 21, 1865, entitled "An act to protect fish, and preserve the fisheries of this State," being section 2163 of the general statutes of the State of Michigan, compiled and annotated by Andrew Howell.

The bill was read a first and second time by its title and referred to the committee on fisheries.

Mr. Cline, previous notice having been given and leave being granted, introduced

Senate bill No. 185, entitled

A bill to provide for the appointment, compensation, and duties of a stenographer for the sixteenth judicial circuit;

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Cline, previous notice having been given and leave being granted, introduced

Senate bill No. 186, entitled

A bill to incorporate the village of Brockway Center, in St. Clair county;

The bill was read a first and second time by its title, and referred to the committee on cities and villages.

Mr. Francis, previous notice having been given and leave being granted, introduced

Senate bill No. 187, entitled

A bill to amend sections 43 and 49 of act No. 9 of the session laws of 1882, entitled "An act to provide for the assessment of property, and the levy and collection of taxes thereon," approved March 14, 1882.

The bill was read a first and second time by its title and referred to the special joint committee on taxation.

Mr. Francis, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 17, entitled

A joint resolution proposing an amendment to section 46 of Article IV of the constitution of this State, relative to trial by jury.

The bill was read a first and second time by its title and referred to the committee on constitutional amendments.

Mr. Francis, previous notice having been given and leave being granted, introduced

Senate bill No. 188, entitled

A bill to amend section 703, of the compiled laws of 1871, as amended by act No. 53, of the session laws of 1873, being section 741, of Howell's Annotated Statutes.



The bill was read a first and second time by its title and referred to the committee on counties and townships.

Mr. Shoemaker, previous notice not having been given and leave being granted, introduced

Senate bill No. 189, entitled

A bill to repeal section 61, of act 284, of the laws of 1881, being section 9723, of Howell's Annotated Statutes, relative to the State prison.

The bill was read a first and second time by its title and referred to the committee on State prison.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill 190, entitled

A bill to amend the charter of the city of Menominee, being act No. 228 of the session laws of 1883, entitled "An act to incorporate the city of Menominee;"

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. Moon, previous notice having been given and leave being granted, introduced

Senate bill No. 191, entitled

A bill to amend the 1st and 4th paragraphs of section 11 and the 14th paragraph of section 13 of act No. 9 of the session laws of 1882, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon."

The bill was read a first and second time by its title and referred to the select joint committee on taxation.

Mr. Monroe, previous notice having been given and leave being granted, introduced

Senate bill No. 192, entitled

A bill to provide for a Deputy Attorney General for the office of Attorney General at Lansing.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Spencer, previous notice having been given and leave being granted, introduced

Senate bill No. 193, entitled

A bill to amend sections 44 and 45 of chapter 147 of the compiled laws of 1871, relative to estates in real property, being section 5560 and 5561 of Howell's Annotated Statutes.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Brown, previous notice having been given and leave being granted, introduced

Senate bill No. 194, entitled

A bill to amend the charter of the city of Kalamazoo, being act No. 337 of the session laws of 1883, entitled "An act to incorporate the city of Kalamazoo," and to repeal an act entitled "An act to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts," approved March 15, 1861, as amended by the several acts amendatory thereof, approved June 8, 1883.

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. Carpenter, previous notice having been given and leave being granted, introduced

Senate bill No. 195, entitled

. A bill to prevent the sale of, or traffic in, animals affected with the disease known as the glanders.

The bill was read a first and second time by its title and referred to the committee on State affairs.

### THIRD READING OF BILLS.

Senate bill No. 20 (File No. 8), entitled

A bill to amend section 29 of article 2 of act No. 198 of the session laws of 1873, being an act entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities, of all railroad and other corporations owning or operating any railroad in this State."

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent,

Mr. Hueston moved to amend the bill as follows:

By inserting in section 1 line 5, after the word "State," the words "and being section three thousand three hundred and forty-three of Howell's Annotated Statutes;"

Which motion prevailed and the bill was so amended.

Pending the taking of the vote on the passage of the bill,

On motion of Mr. G. A. Smith,

The bill was laid on the table.

Mr. Hubbell asked and obtained leave of absence for himself until Thursday, February 26.

Mr. Francis asked and obtained leave of absence for the committee on cities and villages and Mr. Hawley for the week.

### GENERAL ORDER.

On motion of Mr. Edwards,

The Senate went into committee of the whole on the general order,

Mr. Austin in the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following:

1. Senate bill No. 1 (File No. 20), entitled

A bill to amend section 4897 of the compiled laws of 1871, being section 6393 of Howell's Statutes, relative to salaries of justices of the supreme court;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following:

2. Senate bill No. 52 (File No. 24), entitled

A bill to amend section 25 of chapter 202 of the compiled laws of 1871, being section 8055 of Howell's Annotated Statutes, relative to proceedings against garnishees;

Have stricken out all after the enacting clause thereof, and ask the concurrence of the Senate in their action.

On motion of Mr. G. A. Smith,

The Senate concurred in the amendments made by the committee to the first named bill, and the same was placed on the order of third reading of bills.

Mr. Austin moved that the Senate concur in the action of the committee of the whole in striking out all after the enacting clause of the last named bill.

Mr. Pulver called for the yeas and nays.

The motion then prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Kempf,	Mr. Smith, S. W.,
Belknap,	Heisterman,	Phelps,	Spencer,
Brown,	Henry,	Sherwood,	Stephenson,
Carpenter,	Hueston,	Smith, G. A.,	15

#### NAYS.

Mr. Carveth,	Mr. Edwards,	Mr. Moon,	Mr. Shoemaker,
Cline,	Hortzler,	Pennell,	Woodruff,
Curtis,	Manwaring,	Pulver,	11

On motion of Mr. Austin,

The title and enacting clause of the last named bill were laid on the table.

On motion of Mr. Belknap,

The Senate went into executive session, the time being 5:10 P. M.

The executive session closed, the time being 5:30 P. M.

On motion of Mr. Pulver,

The Senate adjourned.

*Lansing, Thursday, February 19, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.  
Prayer by Rev. Mr. Taylor.

Roll called: a quorum present.

#### PETITIONS.

No. 92. By Mr. Brown: Petition of B. Orcutt and 40 others of St. Joseph county, for amendments to the insurance laws;

Referred to the committee on insurance.

No. 93. By Mr. Manwaring: Memorial of citizens of Clifford, Lapeer county, asking for the passage of Senate bill No. 82, to promote the efficiency of pharmacy;

Referred to the committee on public health.

No. 94. By Mr. Pulver: Petition of Knights of Labor of Shiawassee county against employing prison labor by contract.

On motion of Mr. Pulver,

The petition was ordered printed in the Journal, and referred to the committee on labor.

The following is the petition:

*To the Honorable Member and President of the Senate of the State of Michigan :*

At a regular meeting of Shiawassee Assembly, No. 3,093, Shiawassee county, the following preamble and resolution was adopted :

WHEREAS, In our opinion the contract labor system in our penal institutions is in direct antagonism to the interests of labor, having a tendency to degrade to the level of criminals as well as to lower the standard of wages; and

WHEREAS, Capitalists, monopolies, and corporations favor employing convicts, in order to increase their capital by using cheap labor, which is to the detriment of all wage workers; and

WHEREAS, We consider it the duty of our legislators to enact laws that will protect the interests of labor and that will have a tendency to elevate the people as well as to enlarge the field of industry, giving to honest laboring men the opportunity to gain a living and to support their families without competing with outlaws and felons; therefore be it

*Resolved*, That, as Knights of Labor, we denounce the contract labor system as it is now carried on in our State prisons as an outrage upon the interests of the laboring class and not in keeping with the intelligence of the citizens of this grand State;

*Resolved*, That we demand the immediate repeal of such laws as render it possible for the labor of convicts and criminals to be used in opposition to the interests of honest laboring men, and that we will ask our legislators to frame such laws as shall do away with this pernicious system;

*Resolved*, That the recording secretary be and is hereby instructed to forward a copy of these resolutions to his Honor, the President, and members of the Senate, and they be requested to use their influence in favor of such measures of legislation upon the subject.

WILLIAM LANGERWISCH, M. W. .  
FRANK W. SMITH, R. S.

[SEAL.]

#### REPORTS OF STANDING COMMITTEES.

By the committee on railroads:

The committee on railroads, to whom was referred  
Senate bill No. 108, entitled

A bill to amend sections 15, 16, and 17 as amended by act No. 207 of the public acts of 1879, being sections 3377, 3378, and 3379 of Howell's Annotated Statutes, article 4, act No. 198 of the session laws of 1873, entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities of all railroads and other corporations owning or operating any railroad in this State," approved May 3, 1873,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it be printed for the use of the committee.

Report accepted and committee discharged.

CHAS. AUSTIN, *Chairman*.

The bill was ordered printed for the use of the committee.

By the committee on State affairs:

The committee on State affairs, to whom was referred  
House bill No. 116 (File No. 65), entitled

A bill for the preservation of public records, maps and papers,  
Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Manwaring,

The bill was laid on the table.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate joint resolution No. 6 (File No. 2), entitled

Joint resolution to provide for the exhibition of the horticultural and pomological productions of this State, at the exhibition of the American Pomological Society, to be held in Grand Rapids, Michigan, in September, 1885.

J. W. BELKNAP, *Chairman.*

Report accepted.

By the committee on federal relations:

The committee on federal relations, to whom was referred

House joint resolution No. 4 (file 3), entitled

Joint resolution requesting the Congress of the United States to make an appropriation to aid in the construction of a soldiers' home to be located in the State of Michigan,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on federal relations:

The committee on federal relations, to whom was referred

House joint resolution No. 11 (File No. 5), entitled

Joint resolution requesting our Senators and Representatives in Congress to use their best endeavors to secure such legislation by Congress as will result in the establishment of a harbor of refuge at Ludington, and also secure an appropriation for that purpose in consonance with a report of the board of engineers detailed by the war department at Washington for that purpose,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

## MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 19, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following concurrent resolution:

*Whereas*, The interests of every citizen of the State of Michigan, irrespective of his political faith, or occupation or profession in life, demand that the business of transmitting intelligence by telegraph between the people of this country be undertaken by the government of the United States, as proposed in the bill known as the "Sumner postal telegraph bill," now before Congress; therefore, be it

*Resolved by the House of Representatives* (the Senate concurring), That we heartily endorse the postal telegraph bill introduced in Congress by the Hon. Charles A. Sumner, of California, as being a measure eminently wise and practical, and designed to secure low uniform rates by telegraph, and a more rapid method of carrying the letters of the people;

*Resolved*, That our senators and representatives in Congress be and they are hereby earnestly requested to support and use all honorable means to secure the passage of said bill;

*Resolved*, That the Governor of Michigan be requested to forward a copy of these resolutions to each of our senators and representatives in Congress;

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

On motion of Mr. Shoemaker,

The concurrent resolution was referred to the committee on federal relations.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Feb. 19, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following joint resolution:

House joint resolution No. 1 (File No. 9), entitled

Joint resolution proposing an amendment to article 4 of the constitution of this State relative to the liquor traffic;

Which has passed the House by a two-thirds vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The joint resolution was read a first and second time by its title, and referred to the committees on constitutional amendments and the liquor traffic, jointly.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 18, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 258, entitled

A bill to reincorporate the village of Three Oaks, in the county of Berrien, and to repeal act No. 373 of the session laws of 1867, relative to the incorporation of said village, and all acts amendatory thereto;

2. House bill No. 270, entitled

A bill to detach township 24 north, range 1 west, from the township of Higgins, in the county of Roscommon, and organize a new and separate township of said territory, to be known as the township of Richfield;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and

On motion of Mr. Sherwood,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Monroe,	Mr. Shoemaker,
Belknap,	Edwards,	Moon,	Smith, G. A.,
Brown,	Heisterman,	Rennell,	Smith, S. W.,
Carpenter,	Henry,	Phelps,	Spencer,
Carveth,	Hertzler,	Pulver,	Stephenson,
Cline,	Hueston,	Sherwood,	Woodruff,
Curtiss,	Manwaring,		
			26

NAYS.

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Title agreed to.

On motion of Mr. Sherwood,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The second-named bill was read a first and second time by its title, and referred to the committee on counties and townships.

NOTICES.

Mr. Stephenson gave notice that on some future day he would ask leave to introduce

A bill to establish and regulate a mining school in the Upper Peninsula;

Also,

A bill to incorporate the village of Iron River.

Mr. Hueston gave notice that on some future day he would ask leave to introduce

A joint resolution to amend section 10 of article 10 of the constitution of the State of Michigan authorizing appeals from the board of auditors of Wayne county to the circuit court.

Mr. G. A. Smith gave notice that on some future day he would ask leave to introduce

A bill to provide for the completion and finishing of the asylum for criminal insane.

Mr. Moon gave notice that on some future day he would ask leave to introduce

A joint resolution directing the Board of State Auditors to settle a claim of Muskegon county against the State of Michigan for shortage in the amount credited by the Auditor General to said county under section 10 act 197 of the public acts of the session laws of 1883.

Mr. Austin gave notice that on some future day he would ask leave to introduce

A bill to repeal section 26 of act 174 of the session laws of 1859, entitled "An act to further preserve the purity of elections and guard against the abuses of the elective franchise, by a registration of electors," being section 184 of the compiled laws of 1871 and section 111 of Howell's Annotated Statutes;

Also,

A bill to amend sections 13, 15 and 17 of article 4 of act No. 198 of the session laws of 1873, entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State, and the several acts amendatory thereof," and to add two new sections thereto to stand as sections 22 and 23, for the prevention of trespassing on railroad tracks, and providing penalties for violations of subdivision fifth, section 9 of article 2 of said act number 198, session laws of 1873.

Mr. Pulver gave notice that on some future day he would ask leave to introduce

A bill to repeal sections 1, 2, and 3 of act No. 11 of session laws of 1877, entitled "An act obstructing the operation and business of railroad companies and other corporations, firms and individuals," being sections 9274, 9275, and 9276 of Howell's Annotated Statutes of Michigan.

Mr. Monroe gave notice that on some future day he would ask leave to introduce

A bill to prevent accidents upon railroad tracks.

Mr. Woodruff gave notice that on some future day he would ask leave to introduce

A bill to create a board of public works for the city of East Saginaw, Mich., and to define its powers and duties and to repeal all laws in conflict therewith.

Mr. Henry gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Oscoda in Iosco county.

Mr. Shoemaker gave notice that on some future day he would ask leave to introduce

A bill to amend and revise an act entitled "An act to provide for the incorporation of associations, conventions, conferences, or religious bodies for literary, religious, or other benevolent purposes," and the act amendatory thereof, being act 192 of the laws of 1867 and chapter 178 of Howell's Annotated Statutes;

Also,



A bill to amend sections 9 and 12 of act 164 of the laws of 1877, entitled "An act to authorize cities, incorporated villages, and townships to establish and maintain free public libraries and reading-rooms," being sections 5183 and 5186 of Howell's Annotated Statutes;

Also,

A bill to establish and maintain a free public library in the city of Jackson.

Messrs. Pulver and Carveth gave notice that on some future day they would ask leave to introduce

A bill to amend section 8032 of Howell's Annotated Statutes, being compiler's section 6440 of the compiled laws of 1871, relative to the liability of garnishees.

Mr. Phelps gave notice that on some future day he would ask leave to introduce

A bill to amend chapter 257 of the compiled laws of 1871, with reference to convicts serving sentences in county jails, by adding a new section, to stand as section 23;

Also,

A bill to amend section 8 and 75 of chapter 10 of the compiled laws of 1871, being compiler's section 480 and 585 of Howell's Annotated Statutes, with reference to county officers;

Also,

A bill to provide a uniform system of records and accounts for use of superintendents, overseers and directors of the poor, and keepers of poor-houses;

Also,

A bill to amend sections 8, 10, and 11 of an act entitled "An act to revise and consolidate the several acts relating to the support and maintenance of poor persons," approved April 5, 1869, being sections 1762, 1764, and 1865 of Howell's Annotated Statutes of 1882.

Mr. Phelps gave notice that on some future day he would ask leave to introduce

A bill to amend sections 1 and 2 of an act entitled "An act to amend an act entitled 'An act to require supervisors, directors, and overseers to make certain annual reports to the county superintendents of the poor,' approved April 23, 1875, and to add one new section thereto," approved May 27, 1879, being sections 1810 and 1811 of Howell's Annotated Statutes of 1882;

Also,

A bill to provide for an appropriation for the preparation, publication, and distribution of the proceedings of the annual meetings of the Michigan superintendents of the poor for the years 1885 and 1886.

Mr. Cline gave notice that on some future day he would ask leave to introduce

A bill to provide for the construction of a bridge across Black river on the county line between the townships of Grant, in St. Clair county, and Worth, in Sauilac county.

Mr. Carpenter gave notice that on some future day he would ask leave to introduce

A bill to protect inmates of the Industrial Home for Girls.

#### MOTIONS AND RESOLUTIONS.

Mr. Curtiss moved that the rules be suspended, and the committee of the whole be discharged from the further consideration of

House bill No. 163 (File No. 61), entitled

A bill to re-incorporate the village of Sand Lake, in the county of Kent, and to repeal all acts and proceedings relating to its former incorporation;

Which motion prevailed.

On motion of Mr. Curtiss,

The rules were suspended, and the bill was placed on its immediate passage.

Pending the reading of the bill,

Mr. Manwaring moved that the bill be laid on the table;

Which motion did not prevail.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor by yeas and nays as follows:

#### YEAS.

Mr. Austin,	Mr. Henry,	Mr. Moon,	Mr. Smith, G. A.,
Belknap,	Hertzler,	Pennell,	Smith, S. W.,
Brown,	Hueston,	Phelps,	Spencer,
Carpenter,	Manwaring,	Pulver,	Stephenson,
Curtiss,	Monroe,	Sherwood,	Woodruff,
Davenport,			

21

#### NAYS.

Mr. Cline,	Mr. Heisterman,	2
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Title agreed to.

On motion of Mr. Curtiss,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Henry moved to take from the table

House bill No. 47 (File No. 35), entitled

A bill to provide for the incorporation of mutual insurance companies to insure against cyclones, wind storms, and tornadoes, and defining their powers and duties;

Which motion prevailed.

The bill having been read a third time, and the question being upon its passage,

The same was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Curtiss,	Mr. Hertzler,	Mr. Pennell,
Belknap,	Davenport,	Hueston,	Phelps,
Brown,	Edwards,	Manwaring,	Smith, G. A.,
Carpenter,	Heisterman,	Monroe,	Smith, S. W.,
Carveth,	Henry,	Moon,	Stephenson,
Cline,			

21

#### NAYS.

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Title agreed to.

On motion of Mr. Henry,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By unanimous consent the following was received:

## REPORT OF STANDING COMMITTEES.

By the committee on federal relations:

The committee on federal relations, to whom was referred the following concurrent resolution:

WHEREAS, The interests of every citizen of the State of Michigan, irrespective of his political faith, or occupation or profession in life, demand that the business of transmitting intelligence by telegraph between the people of this country be undertaken by the government of the United States, as proposed in the bill known as the "Sumner postal telegraph bill," now before Congress; therefore, be it

*Resolved by the House of Representatives* (the Senate concurring), That we heartily endorse the postal telegraph bill introduced in Congress by the Hon. Charles A. Sumner, of California, as being a measure eminently wise and practical, and designed to secure low uniform rates by telegraph, and a more rapid method of carrying the letters of the people;

*Resolved*, That our senators and representatives in Congress be and they are hereby earnestly requested to support and use all honorable means to secure the passage of said bill;

*Resolved*, That the Governor of Michigan be requested to forward a copy of these resolutions to each of our senators and representatives in Congress,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that the Senate concur in its adoption, and ask to be discharged from the further consideration of the subject.

J. CARVETH, *Chairman*.

Report accepted and committee discharged.

Mr. Carveth moved that the Senate concur in the adoption of the concurrent resolution;

Which motion prevailed.

## INTRODUCTION OF BILLS.

Mr. Edwards, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 18, entitled

A joint resolution to provide for alphabetically indexing the names of all soldiers from this State in the late war, found upon the records of the Adjutant General's office.

The joint resolution was read a first and second time by its title and referred to the committee on military affairs.

Mr. Manwaring, previous notice having been given and leave being granted, introduced

Senate bill No. 196, entitled

A bill to amend sections 6947 and 6948 of Howell's Annotated Statutes, being compiler's sections 5382 and 5383 of compiled laws of 1871, relative to assignment of judgments in justices' courts.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. G. A. Smith, previous notice having been given, and leave being granted, introduced

Senate bill No. 197, entitled

A bill to amend section 2, of act No. 108, of the session laws of 1871, as

amended, being compiler's section 4207 of Howell's Annotated Statutes, relative to insurance.

The bill was read a first and second time by its title, and referred to the committee on insurance.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 198, entitled

A bill to amend sections 2, 3, 4, 9, and 14, of chapter 2, and to add a new section to said chapter to stand as section 15; and to amend sections 4 and 6 of chapter 4, and to amend section 4 of chapter 11 of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within this State," approved June 8, 1881.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 199, entitled

A bill to amend section 15 of act 269 of the session laws of 1881, entitled "An act to revise and consolidate the laws of this State providing for the drainage of swamps and marshes and other low lands, and to repeal the acts of March 22, 1869, and April 13, 1871, known as the county drain law and township drain law, approved June 11, 1881."

The bill was read a first and second time by its title, and referred to the committees on judiciary.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 200, entitled

A bill making an appropriation from the State military funds for the purchase of ground and the erection of an armory at Jackson, for the use of State troops.

The bill was read a first and second time by its title and referred to the committees on military affairs and appropriations and finance.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 201, entitled

A bill to extend aid to the University of Michigan, and to repeal section 1 of act No. 32 of the session laws of 1873, being section 4944 of Howell's Annotated Statutes.

The bill was read a first and second time by its title, and referred to the committees on the university and appropriations and finance jointly.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 202, entitled

A bill making an appropriation for the use and maintenance of the University of Michigan.

The bill was read a first and second time by its title and referred to the committees on the university and appropriations and finance jointly.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 203, entitled

A bill to repeal section 2 of act 128 of the laws of 1875, entitled "An act for the establishment of a homœopathic medical department of the University of Michigan," being section 4932 of Howell's Annotated Statutes.

The bill was read a first and second time by its title, and referred to the committee on university.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 204, entitled

A bill making appropriations for the use and maintenance of the University of Michigan for the years 1885 and 1886;

The bill was read a first and second time by its title, and referred to the committees on the university and appropriations and finance, jointly.

Mr. Woodruff, previous notice having been given and leave being granted, introduced

Senate bill No. 205, entitled

A bill to prevent saloons from being maintained in the vicinity of schools;

The bill was read a first and second time by its title and referred to the committees on liquor traffic and education and public schools.

Mr. Woodruff, previous notice not having been given and leave being granted, introduced

Senate bill No. 206, entitled

A bill to amend section 708 of the compiled laws of 1871, being section 746 of Howell's Annotated Statutes, relating to the powers and duties of townships, and election and duties of township officers.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Davenport, previous notice having been given and leave being granted, introduced

Senate bill No. 207, entitled

A bill to amend act No. 227 of the laws of 1853, entitled "An act to revise and amend the charter of the city of Saginaw, and to repeal act No. 496 of the laws of 1867, entitled 'An act to amend an act to revise and amend the charter of the city of Saginaw,' approved February 5, 1859," approved March 16, 1883.

The bill was read a first and second time by its title, and referred to the committee on cities and villages.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 208, entitled

A bill to provide for the collection and publication of statistics of divorce in the State.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

#### GENERAL ORDER.

On motion of Mr. Shoemaker,

The Senate went into committee of the whole on the general order,

Mr. S. W. Smith in the chair.

After some time spent therein, the committee rose, and, through their chairman made the following report:

The committee of the whole have had under consideration the following:

1. Senate bill No. 70 (File No. 28), entitled

A bill to amend section 1 of chapter 10 of act 164 of the public acts of 1881, approved May 21, 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," as amended by act No. 28 of the session laws of 1883, approved April 18, 1883, being compiler's section 5132 of Howell's Annotated Statutes;

2. Senate bill No. 69 (File No. 29), entitled

A bill to amend section 4 of act No. 347 of the session laws of 1873, entitled "An act to incorporate the board of education of the city of Hastings," approved April 2, 1873;

3. House bill No. 107 (File No. 56), entitled

A bill to provide for the incorporation and to define the objects of the Order of the Sons of Industry;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

The committee of the whole have also had under consideration the following:

4. Senate bill No. 49 (File No. 27), entitled

A bill authorizing and providing for the burial of the body of any honorably discharged ex-union soldier, sailor, or marine of this State, who shall hereafter die without leaving means to defray funeral expenses;

Have directed their chairman to report the same back to the Senate, with the recommendation that the bill be referred to the committee on military affairs.

The committee of the whole have also had under consideration the following:

5. Senate bill No. 16 (File No. 32), entitled

A bill to better protect and preserve deer within this State;

Have directed their chairman to report the same back to the Senate, with the recommendation that the bill be laid on the table.

S. W. SMITH, *Chairman*.

Report accepted and committee discharged.

The first three named bills were placed on the order of third reading of bills.

On motion of Mr. S. W. Smith,

The Senate concurred in the recommendation of the committee regarding the fourth named bill, and the same was referred to the committee on military affairs.

On motion of Mr. S. W. Smith,

The Senate concurred in the recommendation of the committee regarding the fifth named bill, and the same was laid on the table.

By unanimous consent the following was received:

#### MESSAGE FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 19, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 59 (File 39), entitled  
A bill to provide for the review of motions for new trials by the supreme court;

In accordance with the request of the Senate for the return of the same.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

Mr. Carveth moved to reconsider the vote by which the Senate passed the bill;

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Shoemaker,

The bill was referred to the committee of the whole.

On motion of Mr. Manwaring,

The Senate adjourned.

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*Lansing, Friday, February 20, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.

Prayer by Rev. Mr. Brown,

Roll called: a quorum present.

Absent without leave: Senators Carpenter, Moon, and Woodruff.

Mr. G. A. Smith asked and obtained leave of absence for Mr. Carpenter for the day.

Mr. Belknap asked and obtained leave of absence for Messrs. Moon and Woodruff for the day.

#### PETITIONS.

No. 95: By Mr. G. A. Smith: Petition of S. B. Worden, relative to a promised unpaid soldier's bounty;

Referred to committee on military affairs.

No. 96. By Mr. Brown: Memorial of Mrs. B. E. Andrews, State Superintendent of Franchise of the W. C. T. U. of Three Rivers, Mich.

On motion of Mr. Brown,

The memorial was ordered printed in the Journal and referred to the committee on elections.

The following is the memorial:

Believing that when the consent of *all* the governed is obtained, when *all* that are taxed are represented, then, and only then, shall we interpret aright the great principles of our government;

Your memorialist therefore, on behalf of the thousands of women of Michigan who pay an equal proportion of taxes, who are adding materially to the wealth and educational advancement of our State, who are devoting their lives to her best interests, prays that Senate bill No. 98, entitled "A bill to secure to women citizens who are otherwise qualified, the right to vote in school,

town, city, and other municipal elections" may receive the approval and vote of every member of the Legislature.

MRS. BISHOP E. ANDREWS,  
*State Supt. of Franchise of the W. C. T. U.*

Three Rivers, Mich.

No. 97. By Mr. Shoemaker: Memorial of Samuel Chapel relative to superintendents of schools;

Referred to the committee on education and schools.

No. 98. By Mr. Shoemaker: Preamble and resolution of Central City Assembly No. 4394, Knights of Labor, favoring the establishment of a penal colony in Alaska for convicts;

Referred to the committee on federal relations.

No. 99. By Mr. Henry: Petition of Otto Goerick and 50 others of the county of Presque Isle for passage of House bill No. 171, relative to Presque Isle county bonds;

Referred to committee on counties and townships.

#### REPORTS OF STANDING COMMITTEES.

By the committee on public lands:

The committee on public lands, to whom was referred

House joint resolution No. 13 (File No. 8), entitled

A joint resolution authorizing the Governor to issue a patent to William H. Gorton, for the northeast quarter of the northeast quarter of section 16, township 4 north, range 13 west, Michigan, the same being primary school lands;

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. MANWARING, *Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

The committees on university and appropriations and finance:

The committees on university and appropriations and finance to whom were referred the following bills:

1. Senate bill No. 201, entitled

A bill to extend aid to the University of Michigan, and to repeal section 1 of act No. 32 of the session laws of 1873, being section 4944 of Howell's Annotated Statutes;

2. Senate bill No. 202, entitled

A bill making an appropriation for the use and maintenance of the University of Michigan;

Respectfully report that they have had the same under consideration, and have directed us to report the same back to the Senate, without amendment, and recommend that the bills be printed and re-referred to the committees.

M. SHOEMAKER,

*Chairman of Committee on University.*

G. A. SMITH,

*Chairman of Committee on Finance and Appropriation.*

Report accepted.

The bills were ordered printed and re-referred to the committees.



By the committee on banks and corporations:

The committee on banks and corporations to whom was referred

Senate bill No. 124, entitled

A bill to revise the laws providing for the incorporation of all manufacturing companies, except such as are contemplated by act No. 42 of the Session Laws of 1867 (which provides for the incorporation of persons or corporations engaged in the manufacture of salt), and mercantile companies, or any union of the two, and to fix the duties and liabilities of such corporations;

Respectfully report that they have had the same under consideration, and directed me to report the same back to the Senate, and recommend that it be printed and recommitted to the committee.

C. J. MONROE, *Chairman.*

Report accepted.

The bill was ordered printed for the use of the committee.

By the committees on religious and benevolent societies and judiciary:

The committees on religious and benevolent societies and judiciary, to whom was jointly referred

Senate bill No. 94, entitled

A bill to amend sections 2 and 3 of act 192 of the general laws of 1867, entitled "An act to provide for the incorporation of associations, conventions, conferences, or religious bodies, for literary, religious, or other benevolent purposes," approved March 27, 1867, being sections 3132 and 3133 of the compiled laws of 1871, and section 5 of act 4 of the public laws of 1875, amendatory thereto, being sections 4723, 4724, and 4726 of Howell's Annotated Statutes;

Respectfully report that they have had the same under consideration, and have directed us to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. F. BROWN,

*Chairman of the Committee on Religious and Benevolent Societies.*

JOHN CARVETH,

*Acting Chairman of Judiciary Committee.*

Report accepted and committees discharged.

The bill was referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 19, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 24, entitled

A bill to reorganize the Supreme Court and fixing the salaries of the justices thereof;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committees on judiciary and appropriations and finance.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Feb. 20, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 293, entitled

A bill to incorporate the village of Milan in the counties of Monroe and Washtenaw;

2. House bill No. 379, entitled

A bill to extend the time for the collection of taxes in the city of Kalamazoo, in the county of Kalamazoo, for the year 1884;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The second named bill was read a first and second time by its title, and On motion of Mr. Brown,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Monroe,	Mr. Shoemaker,
Belknap,	Edwards,	Pennell,	Smith, G. A.,
Brown,	Heisterman,	Phelps,	Smith, S. W.,
Carveth,	Henry,	Pulver,	Spencer,
Cline,	Hueston,	Sherwood,	Stephenson,
Curtiss,	Manwaring,		

22

NAYS.

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Title agreed to.

On motion of Mr. Brown,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 19, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 84 (File No. 42), entitled

A bill to amend section 7397 of Howell's Annotated Statutes, being section 5828 of the compiled laws of 1871, relative to survival of actions;

2. House bill No. 11 (File No. 15), entitled

A bill to repeal sections 45 and 47 of act No. 176 of the session laws of 1877, entitled "An act to regulate and govern the State House of Correction and Reformatory at Ionia;"

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on the State house of correction.

The President also announced the following:

HOUSE OF REPRESENTATIVES, {  
Lansing, February 19, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the Senate to transmit the following bills:

1. House bill No. 259, entitled

A bill to authorize the city of Cadillac, in the county of Wexford, to borrow money to make public improvements in said city;

2. House bill No. 204, entitled

A bill to authorize the village of Evart in the county of Osceola, to raise money to make public improvements in said village;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

, Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and

On motion of Mr. Phelps,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Manwaring,	Mr. Shoemaker,
Belknap,	Edwards,	Monroe,	Smith, G. A.,
Brown,	Heisterman,	Pennell,	Smith, S. W.
Carveth,	Henry,	Phelps,	Spencer,
Cline,	Hertzler,	Pulver,	Stephenson,
Curtiss,	Hueston,	Sherwood,	23

NAYS.

0

Title agreed to.

On motion of Mr. Phelps,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The second named bill was read a first and second time by its title, and

On motion of Mr. Phelps,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Manwaring,	Mr. Shoemaker,
Belknap,	Edwards,	Monroe,	Smith, G. A.,
Brown,	Heisterman,	Pennell,	Smith, S. W.,
Carveth,	Henry,	Phelps,	Spencer,
Cline,	Hertzler,	Pulver,	Stephenson,
Curtiss,	Hueston,	Sherwood,	23
			0

## NAYS.

Title agreed to.

On motion of Mr. Phelps,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, Feb. 20, 1885.* }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following bills :

1. House bill No. 263, entitled

A bill to authorize the village of Howell, in the county of Livingston, to raise money to make public improvements in said village ;

2. House bill No. 280, entitled

A bill to extend the time for the collection of taxes in the township of Olive, Ottawa county, Michigan, for the year 1884 ;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and

On motion of Mr. Pulver,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Manwaring,	Mr. Shoemaker,
Belknap,	Edwards,	Monroe,	Smith, G. A.,
Brown,	Heisterman,	Pennell,	Smith, S. W.,
Carveth,	Henry,	Phelps,	Spencer,
Cline,	Hertzler,	Pulver,	Stephenson,
Curtiss,	Hueston,	Sherwood,	23

## NAYS.

0

Title agreed to.

On motion of Mr. Pulver,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The second named bill was read a first and second time by its title, and

On motion of Mr. Henry,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Manwaring,	Mr. Shoemaker,
Belknap,	Edwards,	Monroe,	Smith, G. A.,
Brown,	Heisterman,	Pennell,	Smith, S. W.,
Carveth,	Henry,	Phelps,	Spencer,
Cline,	Hertzler,	Pulver,	Stephenson,
Curtiss,	Hueston,	Sherwood,	23

## NAYS.

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Title agreed to.

On motion of Mr. Henry,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

## NOTICES.

Mr. Monroe gave notice that on some future day he would ask leave to introduce

A bill to amend sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, and 13 of chapter 12 of act No. 164, session laws of 1881, and section 4 of same chapter and act, as amended by act No. 93, session laws of 1883, relating to the examination of teachers and supervision of schools; also, to amend section 3 of chapter 4, and section 2 of chapter 5 of act No. 164, session laws of 1881, relating to duties of township clerk and county clerk concerning school reports;

Also,

A bill to provide for the examination of banks, banking associations, trust companies, private bankers, or other person or persons, partnerships, or associations doing a banking business within this State (except national banks), and to provide for the publication of their reports;

Also,

A bill to alter and amend act No. 135, session laws of 1857, entitled an act to authorize the business of banking and acts amendatory and supplemental thereto.

Mr. Manwaring gave notice that on some future day he would ask leave to introduce

A bill to amend section 21, of an act entitled an act to authorize the formation of companies for the running, booming, and rafting logs, being compiler's sections 2778, and 2788 of chapter 83 of compiled laws 1871, as amended by act No. 22 of session laws of 1873, as amended by act No. 35 of session laws of 1875, as amended by act No. 200 of session laws of 1881, as amended by act No. 80 of session laws of 1883;

Also,

A bill to tax local railroads and their rolling stock not paying a specific tax to the State.

Mr. Edwards gave notice that on some future day he would ask leave to introduce

A bill to amend sections nine and ten of article two of act number one hundred and ninety-eight, of the session laws of eighteen hundred and seventy-three, entitled "An act to revise the laws providing for the incorporation of railroad companies and to regulate the running and management, and to fix the duties and liabilities of all railroad and other corporations owning or oper-

ating any railroad in this State," approved May 1, 1873, as amended by act number one hundred and seventy-seven of the Public Acts of 1877, approved May 22, 1877, as amended by Act No. 116 of the Public Acts of 1883, approved May 24, 1883, relative to the transportation of passengers and freight by railroad companies, being marginal sections 3323 and 3324 of Howell's Annotated Statutes of Michigan.

Mr. Hueston gave notice that on some future day he would ask leave to introduce

A bill to amend section 1756 of Howell's Annotated Statutes, being section 1817 of the Compiled Laws of 1871, relative to the Poor commission of Detroit and Wayne county.

Mr. Curtiss gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the village of Lowell.

Mr. Sherwood gave notice that on some future day he would ask leave to introduce

A bill to amend section 2169 of the compiled laws of 1871 as amended by act 228 of laws of 1881, the same being section 2304 of Howell's Annotated Statutes, relative to the formation of county and town agricultural societies;

Also,

Joint resolution to provide for the celebration of the semi-centennial of the admission of the State of Michigan into the Union.

Mr. Stephenson gave notice that on some future day he would ask leave to introduce

A bill to reimburse the Detroit Light Guard, being company "A," Fourth regiment of State troops, for arms, accoutrements, and tents taken from them by the Quartermaster General for the use of State troops in 1861.

Mr. Henry gave notice that on some future day he would ask leave to introduce

A bill to amend section one (1) of act No. 126 of the laws of 1871, being an act entitled "An act to establish the fiscal year for the treasury of this State, to fix the time of the annual reports of the State officers, and to provide for the printing and distribution thereof," approved April 15, 1871, being compiler's section 353 of Howell's Annotated Statutes;

Also,

A bill to amend sections 8, 22, 53, 57, 63, 64, 68, 73, and 94 of act No. 9 of public acts of 1882, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon," approved March 14, 1882;

Also,

A bill making an appropriation for the establishment of an experimental farm upon the plains land of Iosco county;

Also,

A bill to provide for the sale of certain tax lands;

Mr. Stephenson gave notice that on some future day he would ask leave to introduce

A bill to establish a State board of medical examiners for the State of Michigan, to regulate the licensing of practitioners of physic and surgery, and to further regulate the practice of medicine and surgery;

Also,

A bill to authorize the holding of terms of circuit court within the township of Brighton, Menominee county.

Mr. Belknap gave notice that on some future day he would ask leave to introduce

A bill making appropriations for the School for the Blind for 1885 and 1886.

Mr. Shoemaker gave notice that on some future day he would ask leave to introduce

A bill to revise and amend the charter of the city of Jackson;

Also,

A bill to regulate the passenger and freight traffic, to provide for a uniform classification of freights and maximum freight rates, and to prevent unjust discrimination in charges of toll or compensation for the transportation of passengers or freights upon the railroads in this State.

Mr. Cline gave notice that on some future day he would ask leave to introduce

A bill to amend act number 16 of the session laws of 1877, being section 5705 of the general statutes of the State of Michigan, compiled and annotated by Andrew Howell, entitled an act relative to alienation by deed, and the proof and recording of conveyances and the cancelling of mortgages.

Mr. Spencer gave notice that on some future day he would ask leave to introduce

A bill to amend section 23 and 24 of act 372 of the laws of 1867, entitled an act to revise the charter of the city of Flint, approved March 20th, 1867, and acts amendatory thereof.

Mr. Austin gave notice that on some future day he would ask leave to introduce

A bill to incorporate the public schools of Albion;

Also,

A joint resolution to authorize and provide for lighting the capitol building and grounds by electric light;

Also,

A bill to amend section 35 of the act entitled "An act for the incorporation of manufacturing companies," approved May 1, 1875, being section 4161 of Howell's Annotated Statutes;

Also,

A bill to revise and consolidate the laws relative to the State Prison and House of Correction and Reformatory at Ionia, and the government and discipline thereof, and to repeal all acts inconsistent therewith.

Mr. S. W. Smith gave notice that on some future day he would ask leave to introduce

A bill to amend sections 7, 67, 68, 69, 70, 75, 145, 147, 148, and 150 of act No. 192 of the session laws of 1861, entitled "An act to incorporate the city of Pontiac," approved March 15, 1861, as amended by the several acts amendatory thereof;

Also,

A bill to amend sections 1 to 13 inclusive and to repeal sections 14 to 20 inclusive of chapter 2 of act No. 164, session laws of 1881, section 8 of said chapter being as amended by act No. 82, session laws of 1893; also to amend sections 1 to 20 inclusive, and to repeal sections 21 to 25 inclusive, of chapter 3 of act No. 164, session laws of 1881, section 15 of said chapter being as amended by act No. 93, session laws of 1883; also to amend sections 1 to 14 inclusive, and to repeal sections 15 to 22 inclusive, of chapter 4 of act No. 164,

session laws of 1881, section 1 of said chapter being as amended by act No. 9, session laws of 1883; also to amend sections 1 to 4 inclusive of chapter 10 of act No. 164, session laws of 1881, section 1 of said chapter being as amended by act No. 28, session laws of 1883, and to amend section 5 of said chapter 10, as enacted by act No. 53, session laws of 1883, and to enact 10 new sections, to stand as sections 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 of said chapter 10, said act No. 164, session laws of 1881, being chapter 196 of Howell's Annotated Statutes; all of said acts, chapters, and sections relating to public instruction and primary schools.

Mr. G. A. Smith gave notice that on some future day he would ask leave to introduce

A bill for the relief of Lansing Elliott, late treasurer of the township of Jefferson, in the county of Hillsdale.

Mr. Phelps gave notice that on some future day he would ask leave to introduce

A bill to define the liability of fire and marine insurance companies and associations in case of loss to insured property;

Also,

A bill to provide for the publication of useful information derived from experiments made in the different departments at the Agricultural College.

Mr. Davenport gave notice that on some future day he would ask leave to introduce

A bill to amend section 8499 of Howell's Statutes relative to foreclosure of mortgages by advertisement.

#### MOTIONS AND RESOLUTIONS.

Mr. Hueston moved that the Secretary be instructed to send a respectful message to the House, asking the return of the following concurrent resolution:

WHEREAS, The interests of every citizen of the State of Michigan, irrespective of his political faith, or occupation or profession in life, demand that the business of transmitting intelligence by telegraph between the people of this country be undertaken by the government of the United States, as proposed in the bill known as the "Sumner postal telegraph bill," now before Congress; therefore, be it

*Resolved by the House of Representatives* (the Senate concurring), That we heartily endorse the postal telegraph bill introduced in Congress by the Hon. Charles A. Sumner, of California, as being a measure eminently wise and practical, and designed to secure low uniform rates by telegraph, and a more rapid method of carrying the letters of the people;

*Resolved*, That our Senators and Representatives in Congress be and they are hereby earnestly requested to support and use all honorable means to secure the passage of said bill;

Which motion did not prevail.

Mr. Manwaring offered the following concurrent resolution:

*Resolved* (The House concurring), That members taking books from the State library when there is only one copy of the same work, be and they are hereby requested to return them the same day, or within twenty-four hours after receiving them from the State Librarian;

Which was adopted.

Mr. S. W. Smith offered the following resolution:



*Resolved*, That when the Senate adjourn to-day it adjourn until next Monday at 8 P. M.

Mr. Hueston moved to strike out "8 P. M." and insert in lieu thereof "2 P. M.,"

Which motion did not prevail.

The resolution was then adopted.

#### INTRODUCTION OF BILLS.

Mr. Belknap, previous notice having been given and leave being granted, introduced

Senate bill No. 209, entitled

A bill making appropriations for the institution for educating the deaf and dumb, for the years 1885 and 1886.

The bill was read a first and second time by its title, and referred to the committees on the institution for the deaf and dumb and appropriations and finance jointly.

Mr. Belknap, previous notice having been given and leave being granted, introduced

Senate bill No. 210, entitled

A bill making appropriation for the purchase of additional land, and for improvements at the institution for educating the deaf and dumb.

The bill was read a first and second time by its title, and referred to the committee on the institution for the deaf and dumb and appropriations and finance jointly.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 211, entitled

A bill to establish and regulate a mining school in the Upper Peninsula.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Stephenson, previous notice having been given, and leave being granted, introduced

Senate bill No. 212, entitled

A bill to incorporate the village of Iron River.

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. Cline, previous notice having been given and leave being granted, introduced

Senate bill No. 213, entitled

A bill to amend the charter of the village of Marine City, in St. Clair county.

The bill was read a first and second time by its title, and referred to the committee on cities and villages.

Mr. Cline, previous notice having been given and leave being granted, introduced

Senate bill No. 214, entitled

A bill to provide for the construction of a bridge across Black river on the county line between the townships of Grant, in St. Clair county, and Worth, in Sanilac county.

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Phelps, previous notice having been given and leave being granted, introduced

Senate bill No. 215, entitled

A bill to amend sections 8, 10, and 11 of an act entitled "An act to revise and consolidate the several acts relating to the support and maintenance of poor persons," approved April 5, 1869, being sections 1762, 1764, and 1775 of Howell's Annotated Statutes of 1882.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Phelps, previous notice having been given and leave being granted, introduced

Senate bill No. 216, entitled

A bill to amend sections 1 and 2 of an act entitled "An act to amend an act entitled 'An act to require supervisors, directors, and overseers to make certain annual reports to the county superintendents of the poor,' approved April 23, 1875, and to add one new section thereto," approved May 27, 1879, being sections 1810 and 1811 of Howell's Annotated Statutes of 1882.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Phelps, previous notice having been given and leave being granted, introduced

Senate bill No. 217, entitled

A bill to provide a uniform system of records and accounts for use of superintendents, overseers, and directors of the poor, and keepers of poor-houses.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Phelps, previous notice having been given and leave being granted, introduced

Senate bill No. 218, entitled

A bill to provide for an appropriation for the preparation, publication, and distribution of the proceedings of the annual meetings of the Michigan Superintendents of the Poor for the years 1885 and 1886.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Phelps, previous notice having been given and leave being granted introduced

Senate bill No. 219, entitled

A bill to amend section 8 and 75 of chapter 10 of the compiled laws of 1871, being compiler's section 480 and 585 of Howell's Annotated Statutes, with reference to county officers.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Phelps, previous notice having been given and leave being granted, introduced

Senate bill No. 220, entitled

A bill to amend chapter 257 of the compiled laws of 1881, with reference to convicts serving sentence in county jail, by adding a new section to stand as section 23.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. G. A. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 221, entitled

A bill to provide for heating, finishing, and furnishing of the asylum for insane criminals.

The bill was read a first and second time by its title, and referred to the committees on State house of correction and appropriations and finance.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 222, entitled

A bill to amend sections 9 and 12 of act 164 of the laws of 1877, entitled "An act to authorize cities, incorporated villages, and townships to establish and maintain free public libraries and reading-rooms," being sections 5183 and 5186 of Howell's Annotated Statutes.

The bill was read a first and second time by its title and referred to the committees on cities and villages, and education and public schools.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 223, entitled

A bill to establish and maintain a free public library in the city of Jackson.

The bill was read a first and second time by its title and referred to the committee on education and public schools.

Mr. Spencer, previous notice having been given, and leave being granted, introduced

Senate bill No. 224, entitled

A bill to amend sections 5, 8, and 33 of act No. 372 of session laws of 1867, entitled "An act to revise the charter of the city of Flint," approved March 20, 1867, and the acts amendatory thereof.

The bill was read a first and second time by its title, and referred to the committee on cities and villages.

Mr. Monroe, previous notice having been given and leave being granted, introduced

Senate bill No. 225, entitled

A bill to prevent accidents upon railroad tracks.

The bill was read a first and second time by its title and referred to the committee on railroads.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 226, entitled

A bill to amend sections 13, 15, and 17 of article 4 of act No. 198 of the session laws of 1873, entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State, and the several acts amendatory thereof," and to add two new sections thereto to stand as sections 22 and 23, for the prevention of trespassing on railroad tracks, and providing penalties for violations of subdivision fifth, section 9 of article 2 of said act number 198, session laws of 1873.

The bill was read a first and second time by its title, ordered printed, and referred to the committee on railroads.

Mr. Austin, previous notice having been given, and leave being granted, introduced

Senate bill No. 227, entitled

A bill making an appropriation for the State Industrial Home for Girls, for the years 1885 and 1886.

The bill was read a first and second time by its title, and referred to the committees on industrial home for girls and appropriation and finance.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 228, entitled

A bill to repeal section 26 of act 174 of the session laws of 1859, entitled "An act to further preserve the purity of elections and guard against the abuses of the elective franchise, by a registration of electors," being section 184 of the compiled laws of 1871 and section 111 of Howell's Annotated Statutes;

The bill was read a first and second time by its title, and referred to the committee on elections.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 229, entitled

A bill to validate and confirm proceedings under section 35 of the act entitled "An act for the incorporation of manufacturing companies," approved May 1, 1875, being section 4161 of Howell's Annotated Statutes.

The bill was read a first and second time by its title, and referred to the committee on banks and corporations.

Mr. Manwaring moved that the rules be suspended, and the committee of the whole be discharged from the further consideration of

1. Senate bill No. 81 (File No. 51), entitled

A bill to reincorporate the village of Imlay City, in the county of Lapeer, and to repeal act No. 323, session laws of 1873, as amended by act No. 323, session laws of 1875;

2. Senate bill No. 13 (File No. 52), entitled

A bill to re-incorporate the village of Armada, in the county of Macomb; Which motion prevailed.

On motion of Mr. Manwaring,

The two named bills were placed on the order of third reading of bills.

### THIRD READING OF BILLS.

Senate bill No. 81 (File No. 51), entitled

A bill to reincorporate the village of Imlay City in the county of Lapeer, and to repeal act No. 323 session laws of 1873 as amended by act No. 323, session laws of 1875,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Austin,	Mr. Curtiss,	Mr. Hueston,	Mr. Shoemaker,
Belknap,	Davenport,	Manwaring,	Smith, G. A.,
Brown,	Edwards.	Monroe,	Smith, S. W.,
Carveth,	Heisterman,	Phelps,	Spencer,
Cline,	Henry,	Sherwood,	Stephenson, 20

### NAYS.

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The question being on agreeing to the title,

Mr. Manwaring moved to amend the title as follows:

By adding to the end of the title the words "incorporating said village."  
Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Manwaring,

By a vote two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 13 (File No. 52), entitled

A bill to re-incorporate the village of Armada, in the county of Macomb,  
Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Manwaring,	Mr. Sherwood,
Belknap,	Edwards,	Monroe,	Shoemaker,
Brown,	Heisterman,	Pennell,	Smith, S. W.,
Carveth,	Henry,	Phelps,	Spencer,
Cline,	Hueston,	Pulver,	Stephenson,
Curtis,			

21  
0

## NAYS.

Title agreed to.

On motion of Mr. Manwaring,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 1 (File No. 20), entitled

A bill to amend section 4897 of the compiled laws of 1871, being section 6393 of Howell's Annotated Statutes, relative to salaries of justices of the supreme court.

The bill was read a third time, and the question being upon its passage, pending the taking of the vote thereon,

On motion of Mr. Austin,

The bill was laid on the table.

Senate bill No. 70 (File No. 28), entitled

A bill to amend section 1 of chapter 10 of act 164 of the public acts of 1881, approved May 21, 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," as amended by act No. 28 of the session laws of 1883, approved April 18, 1883, being compiler's section 5132 of Howell's Annotated Statutes.

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Monroe,	Mr. Shoemaker,
Belknap,	Edwards,	Pennell,	Smith, G. A.,
Brown,	Heisterman,	Phelps,	Smith, S. W.,
Carveth,	Henry,	Pulver,	Spencer,
Cline,	Hueston,	Sherwood,	Stephenson,
Curtis,	Manwaring,		

22  
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## NAYS.

Title agreed to.

On motion of Mr. Belknap,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 69 (File No. 29), entitled

A bill to amend section 4, of act No. 347, of the session laws of 1873, entitled "An act to incorporate the board of education of the city of Hastings," approved April 2, 1873,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Monroe,	Mr. Shoemaker,
Belknap,	Edwards,	Pennell,	Smith, G. A.,
Brown,	Heisterman,	Phelps,	Smith, S. W.,
Carveth,	Henry,	Pulver,	Spencer,
Cline,	Hueston,	Sherwood,	Stephenson,
Curtiss,	Manwaring,		

22

## NAYS.

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Title agreed to.

On motion of Mr. Carveth,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

House bill No. 107 (File No. 56), entitled

A bill to provide for the incorporation and define the objects of the order of the Sons of Industry,

Was read a third time and pending the taking of the vote thereon,

By unanimous consent, Mr. Edwards moved to amend the bill as follows:

By striking out in section 2, line 11, the word "will," and inserting in lieu thereof the word "shall;"

Which motion prevailed and the bill was so amended.

By unanimous consent, Mr. Austin moved to amend the bill as follows:

By striking out in section 4, line 1, the words "of the records."

Which motion prevailed and the bill was so amended.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Monroe,	Mr. Shoemaker,
Belknap,	Edwards,	Pennell,	Smith, G. A.,
Brown,	Heisterman,	Phelps,	Smith, S. W.,
Carveth,	Henry,	Pulver,	Spencer,
Cline,	Hueston,	Sherwood,	Stephenson,
Curtiss,	Manwaring,		

22

## NAYS.

0

Title agreed to.

On motion of Mr. Curtiss,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

## GENERAL ORDER.

On motion of Mr. Edwards,

The Senate went into committee of the whole on the general order,  
Mr. Hueston in the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following:

Senate bill No. 53 (File No. 35), entitled

A bill prohibiting judges of courts of record or justices sitting in cases when they are related to any attorney, counsellor, or solicitor in the case,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend its passage.

JAMES HUESTON, *Chairman*.

Report accepted.

On motion of Mr. Hueston,

The Senate concurred in the amendments made by the committee to the bill, and the same was placed on the order of third reading of bills.

The President *pro tem.* took the chair.

On motion of Mr. S. W. Smith,

The Senate adjourned.

The President *pro tem.* announced that the Senate would stand adjourned until Monday next at 8 o'clock P. M.

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*Lansing, Monday, February 23, 1885.*

The Senate met and was called to order by the President *pro tem.* at 8 o'clock P. M.

Prayer by the Rev. Mr. Taylor.

Roll called: a quorum present.

Absent without leave: Senators Carpenter, Davenport, Hueston, Manwaring, and Phelps.

Mr. Hawley asked and obtained leave for all absentees until Tuesday, February 24.

#### PETITIONS.

No. 100. By mail to the Secretary: Communication of E. J. Smith, ex-inspector of illuminating oils, relative to change in test.

Referred to the committee on State affairs.

No. 101. By Mr. Francis: Remonstrance of Arch Cameron and 29 other citizens of the township of Torch Lake in Antrim county, against any change in the boundaries in the line between said township and the township of Central Lake;

Referred to the committee on counties and townships.

No. 102. By Mr. Francis: Petition of James E. Rankin and 39 others of Antrim county, asking for the passage of a law for the relief of certain swamp land settlers;

Referred to the committee on public lands.

No. 103. By Mr. Francis: Petition of B. C. Elms and 27 others, citizens

of Kalkaska, asking for the passage of certain bills relative to the practice of pharmacy;

Referred to the committee on public health.

No. 104. By Mr. Francis: Petition of Theodore Beck and 19 other citizens of the township of South Manitou for the amendment of the tax laws, etc.;

Referred to the select committee on taxation.

No. 105. By Mr. Francis: Petition of E. H. Green and 110 other citizens of Charlevoix, for the establishment of a soldiers' home;

Referred to the committee on military affairs.

No. 106. By Mr. Francis: Petition of J. Q. Adams, A. W. Maitland, Norman McLeod, and 97 others, taxpayers of the city of Negaunee, Marquette county, asking that the charter of said city be amended relative to the city assessor;

Referred to the committee on cities and villages.

No. 107. By Mr. Kempf: Petition of Emil Bauer, C. H. Richmond, and 127 others, relative to the protection of forest trees on banks of rivers, lakes, and bays, planting of trees, etc.

On motion of Mr. Kempf,

The petition was ordered printed in the journal, and referred to the committee on State affairs.

The following is the petition:

*To the Honorable the Senate and House of Representatives of the State of Michigan:*

We the undersigned, legal voters of the State of Michigan, respectfully represent that the climate of our State is injuriously affected and the danger and damage from severe winters, winds, floods, and inundations greatly increased by the destruction of our forests and by the neglect of new plantations of wind-breaks, especially on the highway all over our State.

Your petitioners therefore pray for the enactment of laws or the amendment of laws already in existence for the protection of trees on the banks of rivers, lakes, and bays, and for the encouragement of the planting of forest trees in said localities, especially willow along the banks of rivers, by exemption of the land occupied by such forests or tree plantations, not less than a rod apart, from taxation, or by other remuneration.

Also for the additional encouragement of the owners of forests and wind breaks, to preserve the same, and of the owners of land bordering on the public highway, to protect and plant trees, especially useful trees, such as nut trees and hardy winter apples, on the lines thereof, or evergreen trees at distances not less than a rod apart, by a remuneration for the planting and tending to such trees or hedges on the highway for ten years at least.

And, as in duty bound, will ever pray, etc.

#### REPORTS OF SELECT COMMITTEES.

The select committee to whom was referred the memorial of the Hon. Henry Chamberlain, relating to the propriety of having a semi-centennial celebration of the admission of the State of Michigan into the Union, would most respectfully report that they have had the same under consideration and have directed me to report to the Senate that they are in full accord with the sentiments expressed in said memorial, and do recommend that some action be taken by the present Legislature which shall provide for the celebration of a day commemorating the event, and in a manner befitting this commonwealth



the intelligence and resources of which we are so justly proud; and we do recommend that a joint resolution authorizing the appointment of commissioners and the appropriation of necessary money do pass.

HARVEY C. SHERWOOD, *Chairman*.

Report accepted and committee discharged.

Mr. Sherwood introduced for the committee

Senate joint resolution No. 19, entitled

Joint resolution relating to the semi-centennial celebration of the admission of the State of Michigan into the union.

The joint resolution was read a first and second time by its title, and referred to the committee on appropriations and finance.

#### NOTICES.

Mr. Stephenson gave notice that on some future day he would ask leave to introduce

A bill to authorize the formation of an independent company of uniformed militia, and the equipment and government thereof, at the city of Menominee in the county of Menominee;

Also,

A bill to define and establish the relations between lessors and lessees in mining licenses and leases in the Upper Peninsula;

Also,

A bill imposing specific taxes on owners and lessees of mines, and on the product of mines and mining in this State.

Mr. Francis gave notice that on some future day he would ask leave to introduce

A bill to amend section 5477 of the compiled laws of 1871, being section 7044 of Howell's Annotated Statutes, relative to certiorari to justice's courts in civil cases;

Also,

A bill to amend section 8 of act No. 268 of the session laws of 1879, as amended by act No. 156 of the session laws of 1881, being section 1288 of Howell's Annotated Statutes, relative to the disposition of moneys derived from the liquor tax.

Also,

A bill to authorize boards of supervisors, and in the county of Wayne the board of county auditors, to grant the use of the public records and files in their respective counties for making abstracts of land titles;

Also,

A joint resolution authorizing and directing the Auditor General to credit to the county of Manitou the sum of fifteen hundred dollars.

Mr. Davis gave notice that on some future day he would ask leave to introduce

A bill to amend section seven of act No. 44 of the session laws of 1859, relative to the powers and duties of school inspectors of said act;

Also,

A bill to annex certain territory to the incorporate limits of the village of Vassar.

Mr. Woodruff gave notice that on some future day he would ask leave to introduce

A bill to revise the charter of the city of East Saginaw, being amendatory.

to an act entitled "An act to incorporate the city of East Saginaw," approved February 14, 1859, as amended by the several acts amendatory thereof;

Also,

A bill entitled "A bill to provide for the filing of any contract or lease, or a true copy thereof, which contract or lease contains a provision that the vendee or lessee may become the owner of goods and chattels but the vender or lessor shall or may retain the title thereto or a lien thereon until the same shall be fully paid for."

Also,

A bill entitled "a bill to require the filing for record of notice of suits at law affecting the title to real estate."

Mr. Kempf gave notice that on some future day he would ask leave to introduce

A bill to provide for the appointment and compensation, and to prescribe the duties of a stenographer for the twenty-second judicial circuit;

Also,

A bill to provide for the organization of the Northern Asylum for the Insane, at Traverse City, Michigan, and for the admission, care, and maintenance of patients therein;

Also,

A bill to authorize the supervisor of the township of Northfield, Washtenaw county, Michigan, to make a re-assessment to defray the expenses of public improvements in said township of Northfield, known as the Horse Shoe Lake Inlet or Drain; also the Horse Shoe Lake Outlet, or Drain, and the Ludwig Drain. For a full and complete description of which, reference is had to the original survey for the construction of the same, now on file in the office of the clerk of said township.

Mr. Spencer gave notice that on some future day he would ask leave to introduce

A bill to revise and consolidate the laws organizing asylums for the insane, and regulating the care and management thereof and the inmates therein.

Mr. G. A. Smith gave notice that on some future day he would ask leave to introduce

A bill making appropriations for the expenses of the State Officers and State Government for the years 1885 and 1886, and to provide a tax for the payment of the same;

Also,

A bill to provide for the expenses of conveying prisoners and juvenile offenders to the State Prison, State House of Correction and Reformatories to be paid by counties.

Mr. Edwards gave notice that on some future day he would ask leave to introduce

A bill to amend section 12 of act No. 9 of the public acts of 1882, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon," approved March 14, 1882, so as to require sworn statements of the taxable property owned by such person, to be made to the supervisor as the basis for assessment.

Mr. Curtiss gave notice that on some future day he would ask leave to introduce

A bill to cause the inspection of steam boilers.

Mr. Monroe gave notice that on some future day he would ask leave to introduce

A bill to amend section 417 of Howell's Annotated Statutes, being section 6 of act number 206 of the session laws of 1881, relative to State institutions, and the regulation thereof;

Also,

A bill to provide for the conveyance of prisoners to penal and reformatory institutions.

Mr. Hawley gave notice that on some future day he would ask leave to introduce

A bill to amend section 17 of act No. 164 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being section 5049 of Howell's Annotated Statutes, relative to qualified voters at district meetings;

Also,

A bill to amend the charter of the city of Detroit relative to vacancies in office;

Also,

A bill to repeal section 513 of Howell's Annotated Statutes relative to the powers and duties of the board of auditors of Wayne county;

Also,

A bill to regulate the counting of votes at elections;

Also,

A bill to regulate the holding of caucuses;

Also,

A bill to establish an inebriate asylum;

Also,

A joint resolution to amend section 10 of article 10, of the constitution relative to the board of auditors of Wayne county.

Mr. Austin gave notice that on some future day he would ask leave to introduce

A bill to amend act 190 of the session laws of 1883, entitled, "An act to provide for the location, erection, organization, and management of an asylum for insane criminals;"

Also,

A bill to amend section 2 of act No. 27 of the session laws of 1882, approved March 15, 1882, entitled "An act to provide for the incorporation of the Grand Council of the Royal Templars of Temperance, and any select council of the order in the State of Michigan;"

Also,

A bill to provide for intermediate sentences, and the disposition, management and release of criminals under such sentence.

Mr. S. W. Smith gave notice that on some future day he would ask leave to introduce

A bill to provide for assigning errors on the charge of any circuit court given to the jury in any civil or criminal suit, action, or proceeding;

Also,

A bill to provide for the introduction and use on all cars owned and operated by any railroad company or other corporation doing business in this State, of some form of automatic car coupling by means of which all cars may be coupled and uncoupled without the necessity of the brakeman or any other person passing between the cars.

Mr. Shoemaker gave notice that on some future day he would ask leave to introduce

A bill making an appropriation of State swamp lands to aid the county of Jackson in straightening and opening a channel or outlet for Portage Lake, and to authorize a tax to complete the same, and to repeal act No. 132 of the session laws of 1881, entitled "An act to authorize and empower the board of control of State swamp lands to make an appropriation of swamp lands to drain certain overflowed lands in Jackson county," approved May 10, 1881;

Also,

A bill to punish frauds upon hotel, tavern, inn, restaurant, boarding, and eating house keepers.

Mr. Moon gave notice that on some future day he would ask leave to introduce

A bill to amend section 102 of chapter 188 of the compiled laws of 1871, being compiler's section 5969, relative to the competency of witnesses and examinations of parties in certain cases.

#### MOTIONS AND RESOLUTIONS.

Mr. Hawley offered the following resolution :

*Resolved*, That rule 23 be suspended for the remainder of the session, as to giving one day's notice of the introduction of bills.

Which was adopted, two-thirds of all the Senators present voting therefor.

Mr. Edwards asked and obtained leave of absence for himself for Tuesday, February 24.

#### INTRODUCTION OF BILLS.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 230, entitled

A bill to amend sections 8, 22, 53, 57, 63, 64, 68, 73, and 94 of act No. 9 of public acts of 1882, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon," approved March 14, 1882.

The bill was read a first and second time by its title, and referred to the select committee on taxation.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 231, entitled

A bill to amend section one (1) of act No. 125 of the laws of 1871, being an act entitled "An act to establish the fiscal year for the treasury of this State, to fix the time of the annual reports of the State officers, and to provide for the printing and distribution thereof," approved April 15, 1871, being compiler's section 353 of Howell's Annotated Statutes.

The bill was read a first and second time by its title, and referred to the committees on State affairs.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 232, entitled

A bill to provide for the sale of certain tax lands.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 233, entitled

A bill making an appropriation for the establishment of an experimental farm upon the plains land of Iosco county.

The bill was read a first and second time by its title, and referred to the committee on agricultural interests.

Mr. Sherwood, previous notice having been given, and leave being granted, introduced

Senate bill No. 234, entitled

A bill to amend section 2 of an act entitled "An act to authorize the formation of county and town agricultural societies," approved February 12, 1855, and amended by act 228 of the laws of 1881, being section 2169 of the compiled laws of 1871, the same being section 2304 of Howell's Annotated Statutes.

The bill was read a first and second time by its title, and referred to the committee on agricultural interests.

Mr. Woodruff, previous notice having been given and leave being granted, introduced

Senate bill No. 235, entitled

A bill to create a board of public works for the city of East Saginaw, Mich., and to define its powers and duties and to repeal all laws in conflict therewith.

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. Edwards, previous notice having been given and leave being granted, introduced

Senate bill No. 236, entitled

A bill to amend sections nine and ten of article two of act number one hundred and ninety-eight, of the session laws of eighteen hundred and seventy-three, entitled "An act to revise the laws providing for the incorporation of railroad companies and to regulate the running and management, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State," approved May 1, 1873, as amended by act number one hundred and seventy-seven of the Public Acts of 1877, approved May 22, 1877, as amended by Act No. 116 of the Public Acts of 1883, approved May 24, 1883, relative to the transportation of passengers and freight by railroad companies, being marginal sections 3323 and 3324 of Howell's Annotated Statutes of Michigan.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 237, entitled

A bill to establish a State board of medical examiners for the State of Michigan, to regulate the licensing of practitioners of physio and surgery, and to further regulate the practice of medicine and surgery.

The bill was read a first and second time by its title, and referred to the committees on the judiciary and public health, jointly.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 238, entitled

A bill to authorize the holding of terms of circuit court within the township of Brighton, Menominee county.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Messrs. Pulver and Carveth, previous notice having been given and leave being granted, introduced

Senate bill No. 239, entitled

A bill to amend section 8032 of Howell's Annotated Statutes, being compiler's section 6440 of the compiled laws of 1871, relative to the liability of garnishees.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. S. W. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 240, entitled

A bill to amend sections 1 to 13 inclusive and to repeal sections 14 to 20 inclusive of chapter 2 of act No. 164, session laws of 1881, section 8 of said chapter being as amended by act No. 82, session laws of 1883; also to amend sections 1 to 20 inclusive, and to repeal sections 21 to 25 inclusive, of chapter 3 of act No. 164, session laws of 1881, section 15 of said chapter being as amended by act No. 93, session laws of 1883; also to amend sections 1 to 14 inclusive, and to repeal sections 15 to 22 inclusive, of chapter 4 of act No. 164, session laws of 1881, section 1 of said chapter being as amended by act No. 9, session laws of 1883; also to amend sections 1 to 4 inclusive of chapter 10 of act No. 164, session laws of 1881, section 1 of said chapter being as amended by act No. 28, session laws of 1883, and to amend section 5 of said chapter 10, as enacted by act No. 53, session laws of 1883, and to enact 10 new sections, to stand as sections 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 of said chapter 10, said act No. 164, session laws of 1881, being chapter 196 of Howell's Annotated Statutes; all of said acts, chapters, and sections relating to public instruction and primary schools.

The bill was read a first and second time by its title, and referred to the committee on education and public schools.

Mr. S. W. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 241, entitled

A bill to amend sections 7, 67, 68, 69, 70, 75, 145, 147, 148, and 150 of act No. 192 of the session laws of 1861, entitled "An act to incorporate the city of Pontiac," approved March 15, 1861, as amended by the several acts amendatory thereof.

The bill was read a first and second time by its title and referred to the committees on cities and villages.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 242, entitled

A bill to amend section 2 of chapter 4 of act No. 326 of the session laws of 188, entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883;

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 243, entitled

A bill to authorize the Governor to appoint an expert book-keeper to examine the books of the Board of Auditors of Wayne county.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 244, entitled

A bill to regulate the conveyance of convicts to State institutions;

The bill was read a first and second time by its title and referred to the committee on State affairs.

Mr. Hawley, previous notice not having been given and leave being granted, introduced

Senate bill No. 245, entitled

A bill to prescribe the manner in which the board of auditors of Wayne county shall exercise their powers;

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 246, entitled

A bill to amend section 1 of act No. 52 of the session laws of 1883 by striking out the seventh clause.

The bill was read a first and second time by its title, and referred to the committee on cities and villages and liquor traffic jointly.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 247, entitled

A bill to amend section 17 of act No. 164 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being section 5049 of Howell's Annotated Statutes, relative to qualified voters at district elections.

The bill was read a first and second time by its title, and referred to the committee on education and public schools.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 248, entitled

A bill to repeal section 513, of Howell's Annotated Statutes, relative to the powers and duties of the board of auditors of Wayne county.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 249, entitled

A bill to regulate the counting of votes at elections.

The bill was read a first and second time by its title, and referred to the special committee on election laws.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 250, entitled

A bill to regulate the holding of caucuses.

The bill was read a first and second time by its title, and referred to the select committee on election laws.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate bill No. 251, entitled

A bill to establish an inebriate asylum.

The bill was read a first and second time by its title and referred to the committee on State affairs.

Mr. Monroe, previous notice having been given and leave being granted, introduced

Senate bill No. 252, entitled

A bill to amend sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, and 13 of chapter 12 of act No. 164, session laws of 1881, and section 4 of same chapter and act, as amended by act No. 93, session laws of 1883, relating to the examination of teachers and supervision of schools; also, to amend section 3 of chapter 4, and section 2 of chapter 5 of act No. 164, session laws of 1881, relating to duties of township clerk and county clerk concerning school reports.

The bill was read a first and second time by its title and referred to the committee on education and public schools.

Mr. Pulver, previous notice having been given, and leave being granted, introduced

Senate bill No. 253, entitled

A bill to repeal sections 1, 2, and 3 of act No. 11 of session laws of 1877, being sections 9274, 9275, and 9276 of Howell's Annotated Statutes, being an act entitled "an act to prohibit any person from obstructing the regular operation and conduct of business of railroad companies, and other corporations, firms and individuals."

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Curtiss, previous notice having been given and leave being granted, introduced

Senate bill No. 254, entitled

A bill to amend the charter of the village of Lowell.

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 20, entitled

Joint resolution proposing an amendment to section 10 of article 10 of the constitution relative to the board of auditors of Wayne county.

The joint resolution was read a first and second time by its title and referred to the committee on constitutional amendments.

Mr. Hawley, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 21, entitled

Joint resolution proposing an amendment to section 28 of the schedule of the constitution of this State, relative to the Governor's appointments.

The joint resolution was read a first and second time by its title, and referred to the committee on constitutional amendments.



Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 255, entitled

A bill to amend section 35 of the act entitled "An act for the incorporation of manufacturing companies," approved May 1, 1875, being section 4161 of Howell's Annotated Statutes.

The bill was read a first and second time by its title and referred to the committee on banks and incorporations.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 256, entitled

A bill to incorporate the public schools of Albion.

The bill was read a first and second time by its title and referred to the committee on education and public schools.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 257, entitled

A bill to revise and consolidate the laws relative to the State Prison and House of Correction and Reformatory at Ionia, and the government and discipline thereof, and to repeal all acts inconsistent therewith.

The bill was read a first and second time by its title and referred to the committees on State prison and State house of correction jointly.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 258, entitled

A bill to revise and amend the charter of the city of Jackson.

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 259, entitled

A bill to amend and revise an act entitled "An act to provide for the incorporation of associations, conventions, conferences, or religious bodies for literary, religious, or other benevolent purposes," and the act amendatory thereof, being act 192 of the laws of 1867 and chapter 178 of Howell's Annotated Statutes.

The bill was read a first and second time by its title and referred to the committee on banks and incorporations.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 260, entitled

A bill to require private bankers and brokers to make regular and special reports to the State Treasurer and be subject to examination under the laws of this State.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Spencer, previous notice having been given and leave being granted, introduced

Senate bill No. 261, entitled

A bill to amend section 23 and 24 of act 372 of the laws of 1867, entitled an act to revise the charter of the city of Flint, approved March 20, 1867, and acts amendatory thereof;

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 22, entitled

A joint resolution to authorize and provide for lighting the capitol building and grounds by electric light.

The joint resolution was read a first and second time by its title and referred to the committee on State capitol and public buildings.

On motion of Mr. Henry,

The Senate adjourned.

*Lansing, Tuesday, February 24, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.

Prayer by Rev. Mr. Taylor.

Roll called: a quorum present.

Absent without leave: Senators Carpenter and Hawley.

Mr. Pulver asked and obtained leave of absence for Mr. Hawley until Thursday, Feb. 26.

Mr. Hertzler asked and obtained leave of absence for Mr. Carpenter for the day.

The President made the following announcement:

I hereby appoint as select committee on apportionment ordered by the Senate:

*First District*—Mr. Hueston.

*Second District*—Mr. G. A. Smith.

*Third District*—Mr. Austin.

*Fourth District*—Mr. Sherwood.

*Fifth District*—Mr. Curtiss.

*Sixth District*—Mr. Spencer.

*Seventh District*—Mr. Cline.

*Eighth District*—Mr. Davenport.

*Ninth District*—Mr. Edwards.

*Tenth District*—Mr. Henry.

*Eleventh District*—Mr. Stephenson.

#### PRESENTATION OF PETITIONS.

No. 108. By mail to the President: Communication of C. B. Norton, secretary of the American exhibition, London, 1886:

CITY OFFICES, 7 POULTRY, LONDON E. C., }  
12th February, 1885. }

*To the President of the Senate, State of Michigan, U. S. A.:*

SIR—The great national importance and exceptional character of the approaching American exhibition in London leads to this communication.

May I respectfully ask that the subject be laid before the Legislature, with the view of securing the coöperation of your State in such manner as may appear best to its representatives?

A set of documents will go forward by same post.

Trusting that favorable action will be taken, I am with respect,

Yours very truly,

C. B. NORTON,

*Secretary of the Exhibition.*

Referred to the committee on federal relations.

No. 109. By Mr. Monroe: Petition of J. F. Barrows and 6 others, relative to pharmacy.

No. 110. By the same: Petition of A. H. Wiggings, for the same object.

No. 111. By the same: Petition of Charles E. Reid, for the same object.

No. 112. By the same: Petition of M. Bailey, for the same object.

The four named petitions were referred to the committee on public health.

No. 113. By Mr. Stephenson: Petition of D. D. Brockway and 24 others, for the establishment of a school of technology in the Upper Peninsula.

No. 114. By the same: Petition of W. J. Brown, G. W. Rule, and 39 others for the same purpose.

No. 115. By the same: Petition of C. H. Palm, James Robert, and 48 others, for the same purpose.

No. 116. By the same: Petition of James Dunston and 179 others, for the same purpose.

No. 117. By the same: Petition of Peter Pascoe, D. F. Morgan, and 238 others, for the same purpose.

No. 118. By the same: Petition of H. O. Young, O. H. Kirkwood, and 58 others, for the same purpose.

No. 119. By the same: Petition of A. W. Maitland and 141 others, for the same purpose.

No. 120. By the same: Petition of H. Merry. W. J. Allen, and 62 others for the same purpose.

No. 121. By the same: Petition of W. F. Fitch, G. M. West, and 74 others for the same purpose.

No. 122. By the same: Petition of William Fisher and 36 others for the same purpose.

Petitions 113-122 were referred to the committee of State affairs.

Nos. 123-132. By Mr. Stephenson, parties named in numbers 113-122 petitioned for the establishment of a State prison and house of correction in the Upper Peninsula.

The petitions 123-132 were referred to the committee on State affairs.

#### REPORTS OF STANDING COMMITTEES.

By a majority of the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 93, entitled

A bill to amend sections 1, 2, and 6 of act 127, of the session laws of 1879, entitled "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to repeal act No. 181 of the session laws of 1875, approved May 1, 1875, and act No. 196 of the session laws of 1877, approved May 22, 1877," being sections 1537, 1538, and 1842 of Howell's Annotated Statutes of Michigan,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with the accompanying substitute therefor, entitled

A bill to amend sections 2, 3 (as amended by act No. 23 of the session laws of 1883), and 5 of act No. 127 of the session laws of 1879, entitled "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to repeal act No. 181 of the session laws of 1875, approved May 1, 1875, and act No. 196 of the session laws of 1877, approved May 22, 1877," being sections 1538, 1539, and 1541 of Howell's Annotated Statutes of Michigan,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Phelps,

The Senate concurred in the adoption of the substitute reported for the bill by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred Senate bill No. 132, entitled

A bill to provide for the deposit of public moneys by county treasurers with banking corporations on interest,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it be printed and re-committed to the committee.

C. J. MONROE, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed for the use of the committee.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred Senate bill No. 240, entitled

A bill to amend sections 1 to 13 inclusive and to repeal sections 14 to 20 inclusive of chapter 2 of act No. 164, session laws of 1881, section 8 of said chapter being as amended by act No. 82, session laws of 1883; also to amend sections 1 to 20 inclusive, and to repeal sections 21 to 25 inclusive, of chapter 3 of act No. 164, session laws of 1881, section 15 of said chapter being as amended by act No. 93, session laws of 1883; also to amend sections 1 to 14 inclusive, and to repeal sections 15 to 22 inclusive, of chapter 4 of act No. 164, session laws of 1881, section 1 of said chapter being as amended by act No. 9, session laws of 1883; also to amend sections 1 to 4 inclusive of chapter 10 of act No. 164, session laws of 1881, section 1 of said chapter being as amended by act No. 28, session laws of 1883, and to amend section 5 of said chapter 10, as enacted by act No. 53, session laws of 1883, and to enact 10 new sections, to stand as sections 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 of said chapter 10, said act No. 164, session laws of 1881, being chapter 196 of Howell's Annotated Statutes; all of said acts, chapters, and sections relating to public instruction and primary schools,

Respectfully report the same back with the recommendation that it be printed for the use of the committee.

J. CARVETH, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed for the use of the committee of the whole.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 23, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following concurrent resolution:

*Resolved* (The House concurring), That members taking books from the State Library, when there is only one copy of the same work, be and they are hereby requested to return them the same day, or within twenty-four hours after receiving them from the State Library;

In the passage of which the House has concurred.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The message was laid on the table.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 23, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 421, entitled

A bill to extend the time for the collection of taxes in the city of Wyandotte in the county of Wayne, for the year 1884;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and

On motion of Mr. Hueston,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,  
Belknap,  
Brown,  
Carveth,  
Cline,  
Curtiss,

Mr. Davenport,  
Davis,  
Francis,  
Heisterman,  
Henry,  
Hertzler,

Mr. Hueston,  
Kempf,  
Manwaring,  
Mouroe,  
Moon,  
Pennell,

Mr. Pulver,  
Shoemaker,  
Smith, S. W.,  
Spencer,  
Stephenson,  
Woodruff, 24

NAYS.

Title agreed to.

On motion of Mr. Hueston,  
By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

## NOTICES.

Mr. Woodruff gave notice that on some future day he would ask leave to introduce

A bill to re-incorporate the village of St. Louis, in the county of Gratiot, and to repeal act No. 223 of the session laws of 1873, as amended by act No. 355 of the session laws of 1875, act No. 329 of the session laws of 1877, act No. 300 of the session laws of 1879, and act No. 398 of the session laws of 1881.

Mr. Carveth gave notice that on some future day he would ask leave to introduce

A joint resolution providing for the appointment of a commission for the purpose of inquiring into and reporting upon the desirability and practicability of draining and lowering Thornapple lake, in Barry county;

Also,

A bill to amend sections 4, 7, 8, 42, 43, 44, 45, 46, 47, and 48 of an act entitled "An act to incorporate the city of Charlotte," being act No. 250 of the session laws of 1871, approved March 29, 1871, and to add five new sections thereto;

Also,

A bill to repeal an act entitled "An act to incorporate the board of education of the city of Hastings," approved April 2, 1873, and to provide for the government of the public schools of the city of Hastings;

Also,

A bill to re-incorporate the city of Hastings, and to repeal an act entitled "An act to incorporate the city of Hastings," approved March 11, 1871, as amended by act No. 228, of the session laws of 1873, and by act No. 386, of the session laws of 1873, and all other acts and laws relating to the incorporation of the city of Hastings;

Also,

A bill to prohibit the taking or catching of fish in Gun lake in the counties of Barry and Allegan, by means of spears, nets, firearms, or artificial lights.

Mr. Manwaring gave notice that on some future day he would ask leave to introduce

A bill to authorize the Board of State Auditors to audit and allow all just claims for services rendered by fire companies who aid in extinguishing fires in State property.

Mr. Stephenson gave notice that on some future day he would ask leave to introduce

A bill to amend the charter of the city of Menominee, being amendatory of an act entitled "An act to incorporate the city of Menominee," approved March 16, 1883;

Also,

A joint resolution to amend section ten of article ten of the constitution of this State relative to boards of supervisors and board of auditors of Wayne county.

Mr. Henry gave notice that on some future day he would ask leave to introduce

A bill to incorporate the village of Harrisville, in Alcona county;

Also,

A bill to incorporate East Tawas, in the county of Iosco, as a city.

Also,

A bill to incorporate the village of East Tawas, in Iosco county.

Mr. Austin gave notice that on some future day he would ask leave to introduce

A bill for the apportionment of Senators in the State Legislature;

Also,

A bill to authorize the city of Battle Creek to construct and maintain water-works and sewers, and to establish a board of public works.

Mr. Kempf gave notice that on some future day he would ask leave to introduce

A bill to provide for the planting and preservation of forest trees.

Mr. Davenport gave notice that on some future day he would ask leave to introduce

A bill to authorize the Board of Water Commissioners of the city of East Saginaw to borrow money to lay water pipes.

Mr. Phelps gave notice that on some future day he would ask leave to introduce

A bill to regulate conditional sales of personal property.

#### INTRODUCTION OF BILLS.

Mr. Belknap, previous notice having been given and leave being granted, introduced

Senate bill No. 262, entitled

A bill to promote morality and to prevent crime.

The bill was read a first and second time by its title, and referred to the committees on State affairs and printing jointly.

Mr. Belknap, previous notice having been given and leave being granted, introduced

Senate bill No. 263, entitled

A bill making appropriations for the School for the Blind for 1885 and 1886.

The bill was read a first and second time by its title and referred to the committee on school for the blind, and appropriations and finance jointly.

Mr. Belknap, previous notice having been given and leave being granted, introduced

Senate bill No. 264, entitled

A bill to provide for the registration of electors.

The bill was read a first and second time by its title and referred to the committee on election laws.

Mr. Belknap, previous notice having been given and leave being granted, introduced

Senate bill No. 265, entitled

A bill to regulate the holding of general and special elections and the canvass and return of votes.

The bill was read a first and second time by its title and referred to the committee on election laws.

Mr. Belknap, previous notice having been given and leave being granted, introduced

Senate bill No. 266, entitled

A bill to repeal certain acts and parts of acts relating to elections.

The bill was read a first and second time by its title, and referred to the committee on election laws.

Mr. Manwaring, previous notice having been given, and leave being granted, introduced

Senate bill No. 267, entitled

A bill to incorporate the village of Attica, Lapeer county;

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. Hueston, previous notice having been given and leave being granted, introduced

Senate bill No. 268, entitled

A bill to amend section 1756 of Howell's Annotated Statutes, being section 1817 of the Compiled Laws of 1871, relative to the Poor Commission of Detroit and Wayne county.

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 269, entitled

A bill to re-incorporate the village of Au Sable, Iosco county.

The bill was read a first and second time by its title, and

On motion of Mr. Henry,

The bill was ordered printed, and referred to the committee on cities and villages.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 270, entitled

A bill to incorporate the village of Oscoda, in Iosco county.

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 271, entitled

A bill to amend section 14 of chapter 2 of act No. 243 of the session laws of 1881, being section 1338 of Howell's Annotated Statutes, relating to highways.

The bill was read a first and second time by its title and,

On motion of Mr. Henry,

The bill was laid on the table.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 272, entitled

A bill to amend section 4304 of the compiled laws of 1871, being section 5774 of Howell's Annotated Statutes, relating to tenancy at will and by sufferance.

The bill was read a first and second time by its title and,

On motion of Mr. Henry,

The bill was laid on the table.

Mr. Henry, previous notice having been given and leave being granted, introduced



Senate bill No. 273, entitled

A bill to incorporate the public schools of Oscoda and Au Sable.

The bill was read a first and second time by its title and referred to the committee on education and public schools.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 274, entitled

A bill to incorporate the village of Tawas City.

The bill was read a first and second time by its title, and referred to the committee on cities and villages.

Mr. Henry, previous notice not having been given and leave being granted, introduced

Senate bill No. 275, entitled

A bill to perfect the title of Kingston T. Burrell in and to the north half of southeast quarter, and southwest quarter of the northeast quarter, and lot No. 2, all in section 31 in town 33 north, of range 8 east, State of Michigan.

The bill was read a first and second time by its title and referred to the committee on public lands.

Mr. Davis, previous notice having been given and leave being granted, introduced

Senate bill No. 276, entitled

A bill to annex certain territory to the incorporate limits of the village of Vassar.

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. Davis, previous notice having been given and leave being granted, introduced

Senate bill No. 277, entitled

A bill to amend section 7 of act No 44 of the session laws of 1859, being an act for the benefit of fractional school district No. 1, of Vassar, and No. 2, of Tuscola, approved Feb. 3, 1859, relative to the powers and duties of school inspectors of said act;

The bill was read a first and second time by its title and referred to the committee on education and public schools.

Mr. Monroe, previous notice not having been given and leave being granted, introduced

Senate bill No. 278, entitled

A bill to apportion the State into representative districts for the State legislature.

The bill was read a first and second time by its title, and referred to the committee on apportionment.

Mr. Monroe, previous notice having been given and leave being granted, introduced

Senate bill No. 279, entitled

A bill to apportion the State into senatorial districts:

The bill was read a first and second time by its title and referred to the committee on apportionment.

Mr. Kempf, previous notice having been given and leave being granted, introduced

Senate bill No. 280, entitled

A bill to provide for the appointment and compensation, and to prescribe the duties of a stenographer for the twenty-second judicial circuit.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Kempf, previous notice having been given and leave being granted, introduced

Senate bill No. 281, entitled

A bill to authorize the supervisor of the township of Northfield, Washtenaw county, Michigan, to make a re-assessment to defray the expenses of public improvements in said township of Northfield, known as the Horse Shoe Lake Inlet or Drain; also the Horse Shoe Lake Outlet, or Drain, and the Ludwig Drain. For a full and complete description of which, reference is had to the original survey for the construction of the same, now on file in the office of the clerk of said township.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Kempf, previous notice having been given and leave being granted, introduced

Senate bill No. 282, entitled

A bill to amend the charter of the city of Ann Arbor.

The bill was read a first and second time by its title, and referred to the committee on cities and villages.

Mr. Kempf, previous notice having been given and leave being granted, introduced

Senate bill No. 283, entitled

A bill to provide for the organization of the Northern Asylum for the Insane, at Traverse City, Michigan, and for the admission, care, and maintenance of patients therein.

The bill was read a first and second time by its title, and referred to the committees on northern asylum, and public health.

Mr. Kempf, previous notice having been given and leave being granted, introduced

Senate bill No. 284, entitled

A bill making an appropriation towards maintaining the fire department of the city of Ann Arbor.

The bill was read a first and second time by its title and referred to the committee on State affairs and appropriations and finance jointly.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 285, entitled

A bill imposing specific taxes on owners and lessees of mines and on the product of mines and mining in this State.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 286, entitled

A bill to define and establish the relations between lessors and lessees in mining licenses and leases in the Upper Peninsula;

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. Cline, previous notice having been given and leave being granted, introduced

Senate bill No. 287, entitled

A bill to amend act number 16 of the session laws of 1877, being section 5705 of the general statutes of the State of Michigan, compiled and annotated by Andrew Howell, entitled an act relative to alienation by deed, and the proof and recording of conveyances and the canceling of mortgages.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. Cline, previous notice having been given and leave being granted, introduced

Senate bill No. 288, entitled

A bill to amend section 11 of the general tax law of 1882, entitled an act to provide for the assessment of property and the levy and collection of taxes thereon, approved March 14, 1882, laws of 1882.

The bill was read a first and second time by its title, and referred to the committee on taxation.

Mr. Cline, previous notice having been given and leave being granted, introduced

Senate bill No. 289, entitled

A bill to amend section 24 of chapter 178 of the compiled laws of 1871, as amended by act No. 99 of the session laws of 1881, entitled "Of courts held by justices of the peace," being section 5372 of the compiled laws of 1871, relative to the transfer of cases in justice courts, being section 6937 of the general statutes of the State of Michigan, as compiled and annotated by Andrew Howell.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Cline, previous notice having been given and leave being granted, introduced

Senate bill No. 290, entitled

A bill to amend section 16 of act No. 186 of the session laws of 1881, entitled "An act to amend sections 16, 17, and 18 of chapter 177 of the compiled laws of 1871," relating to probate courts, being section 6770 of the general statutes of the State of Michigan, as compiled and annotated by Andrew Howell.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. Carveth, previous notice having been given and leave being granted, introduced

Senate bill No. 291, entitled

A bill to prevent hunting for game with fire arms, dogs, weapons, or otherwise, on any marsh-lands, or premises of another in this State, without the written consent of the owner or lessee of said premises.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. Carveth, previous notice having been given and leave being granted, introduced

Senate bill No. 292, entitled

A bill to repeal section 16 of act 78 of the session laws of 1883, relative to the incorporation of mutual insurance companies.

The bill was read a first and second time by its title, and referred to the committee on insurance.

Mr. Shoemaker, previous notice having been give and leave being granted, introduced

Senate bill No. 293, entitled

A bill to punish frauds upon hotel, tavern, inn, restaurant, boarding, and eating house keepers.

The bill was read a first and second time by its title and referred to the committee on State affairs.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 294, entitled

A bill to make an appropriation for the benefit of the fire department of Jackson for the protection of the property of the State in that city;

The bill was read a first and second time by its title and referred to the committees on State affairs and appropriations and finance jointly.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 295, entitled

A bill to enable volunteer military companies, other than those mustered as "State troops," in certain cases, to avail themselves of and be subject to the provisions of chapters 6, 7, 8, 9, 10, 11, and 12 of the compiled laws of 1871, and of the amendments thereto, and the same being also the corresponding numbers of the chapters in Howell's Annotated Statutes.

The bill was read a first and second time by its title and referred to the committee on military affairs.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 296, entitled

A bill making an appropriation of State swamp lands to aid the county of Jackson in straightening and opening a channel or outlet for Portage Lake, and to authorize a tax to complete the same, and to repeal act No. 132 of the session laws of 1881, entitled "An act to authorize and empower the board of control of State swamp lands to make an appropriation of swamp lands to drain certain overflowed lands in Jackson county," approved May 10, 1881;

The bill was read a first and second time by its title and referred to the committee on public lands.

Mr. G. A. Smith, previous notice having been given and leave being granted introduced

Senate bill No. 297, entitled

A bill to provide for the expenses of conveying prisoners to the State Prison at Jackson, and the State House of Correction and Reformatory at Ionia, to fix the compensation for said services, and to repeal all acts and parts of acts in contravention of this act.

The bill was read a first and second time by its title, and referred to the committee on State prison, State house of correction and appropriations and finance jointly.

Mr. G. A. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 298, entitled

A bill making appropriations for the expenses of the State Officers and State Government for the years 1885 and 1886, and to provide a tax for the payment of the same.

The bill was read a first and second time by its title, and referred to the committee on appropriations and finance.

Mr. G. A. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 299, entitled

A bill for the relief of Lansing Elliott, late treasurer of the township of Jefferson, in the county of Hillsdale.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. G. A. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 300, entitled

A bill to amend section 1 of act No. 177 of the session laws of 1881, entitled "An act relative to the delivery of grain by railway companies," approved May 31, 1881.

The bill was read a first and second time by its title, and referred to the committee on railroads.

Mr. Curtiss, previous notice having been given and leave being granted, introduced

Senate bill No. 301, entitled

A bill to provide for the inspection and cleaning of steam boilers.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. Woodruff, previous notice having been given and leave being granted, introduced

Senate bill No. 302, entitled

A bill entitled "A bill to provide for the filing of any contract or lease, or a true copy thereof, which contract or lease contains a provision that the vendee or lessee may become the owner of goods and chattels, but the vender or lessor shall or may retain the title thereto or a lien thereon until the same shall be fully paid for."

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. Woodruff, previous notice having been given and leave being granted, introduced

Senate bill 303, entitled

A bill entitled "a bill to require the filing for record of notices of suits at law affecting the title to real estate."

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. Woodruff, previous notice having been given and leave being granted, introduced

Senate bill No. 304, entitled

A bill to revise the charter of the city of East Saginaw, being amendatory to an act entitled "An act to incorporate the city of East Saginaw," approved February 14, 1859, as amended by the several acts amendatory thereof.

The bill was read a first and second time by its title, and

On motion of Mr. Woodruff,

The bill was laid on the table.

Mr. Francis, previous notice having been given, and leave being granted, introduced

Senate bill No. 305, entitled

A bill to amend section 229 of chapter 178 of the compiled laws of 1871, being section 7044 of Howell's Annotated Statutes;

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Francis, previous notice having been given and leave being granted, introduced

Senate bill No. 306, entitled

A bill to authorize and employ boards of supervisors, and in the county of Wayne the board of county auditors, to grant the use of the public records and files in their respective counties for making abstracts of land titles;

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. Francis, previous notice having been given and leave being granted, introduced

Senate bill No. 307, entitled

A bill to amend section 8 of act No. 268 of the session laws of 1879, entitled "An act to provide for the taxation of the business of manufacturing and selling spirituous and intoxicating, malt, brewed, or fermented liquors, and to repeal act No. 228 of the session laws of 1875, approved May 3, 1875, as amended by act No. 199 of the session laws of 1877, as amended by act No. 156 of the session laws of 1881, being section 1288 of Howell's Annotated Statutes;

The bill was read a first and second time by its title and referred to the committee on the liquor traffic.

Mr. Phelps, previous notice having been given and leave being granted, introduced

Senate bill No. 308, entitled

A bill to provide for the publication of useful information derived from experiments made in the different departments at the Agricultural College.

The bill was read a first and second time by its title and referred to the committee on State affairs.

Mr. Phelps, previous notice having been given and leave being granted, introduced

Senate bill No. 309, entitled

A bill to define the liability of fire and marine insurance companies and associations in case of loss to insured property.

The bill was read a first and second time by its title and referred to the committee on insurance.

Mr. Spencer, previous notice having been given and leave being granted, introduced

Senate bill No. 310, entitled

A bill to amend sections 10 and 12 of chapter 268 compiled laws of 1871, being compiler's sections 8135 and 8137, as amended by act 84, public acts of 1877, relative to the Reform School, being sections 9317 and 9319 of Howell's Annotated Statutes of 1882.

The bill was read a first and second time by its title and referred to the committee on reform school.

Mr. Moon, previous notice having been given and leave being granted, introduced

Senate bill No. 311, entitled

A bill to amend section 1 of an act relative to the State agency for the

care of juvenile offenders, being chapter 346 of Howell's Annotated Statutes, and to add a new section thereto.

The bill was read a first and second time by its title and referred to the committee on the reform school.

Mr. Moon, previous notice having been given and leave being granted, introduced

Senate bill No. 312, entitled

A bill to amend section 102 of chapter 188 of the compiled laws of 1871, being compiler's section 5969, relative to the competency of witnesses and examinations of parties in certain cases.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Moon, previous notice having been given and leave being granted, introduced

Senate bill No. 313, entitled

A bill to change the name of Maurice Benham to Henry Maurice Burwell.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 314, entitled

A bill to provide for intermediate sentences, and the disposition, management and release of criminals under such sentence.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 315, entitled

A bill to amend act 190 of the session laws of 1883, entitled, "An act to provide for the location, erection, organization, and management of an asylum for insane criminals."

The bill was read a first and second time by its title and referred to the committee on State house of correction.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 316, entitled

A bill to amend section 2 of act No. 27 of the session laws of 1882, approved March 15, 1882, entitled "An act to provide for the incorporation of the Grand Council of the Royal Templars of Temperance, and any select council of the order in the State of Michigan;"

The bill was read a first and second time by its title and referred to the committee on State affairs.

Mr. G. W. Smith, previous notice having been given and leave being granted introduced

Senate bill No. 317, entitled

A bill to provide for assigning errors on the charge of any circuit court given to the jury in any civil or criminal suit, action, or proceeding.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. S. W. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 318, entitled

A bill to provide for the introduction and use on all cars owned and operated by any railroad company or other corporation doing business in this State, of some form of automatic car coupling by means of which all cars may be coupled and uncoupled without the necessity of the brakeman or any other person passing between the cars.

The bill was read a first and second time by its title and referred to the committee on railroads.

Mr. Brown, previous notice having been given and leave being granted, introduced

Senate bill No. 319, entitled

A bill to appropriate \$27,000 for the building of an engine and boiler house, purchasing two new boilers and one engine, and resetting and repairing boilers now in use at the State prison at Jackson, Mich.

The bill was read a first and second time by its title, and referred to the committee on State prisons and appropriations and finance jointly.

Mr. Brown, previous notice having been given and leave being granted, introduced

Senate bill No. 320, entitled

A bill to amend section 10 of act No. 164 of the public acts of 1877, approved May 21, 1877, being an act entitled "An act to authorize cities, incorporated villages, and townships to establish and maintain free public libraries and reading-rooms," being section 5184 of Howell's Annotated Statutes.

The bill was read a first and second time by its title, and referred to the committee on education and public schools.

Mr. Davis, previous notice having been given and leave being granted, introduced

Senate bill No. 321, entitled

A bill to amend section 7 of chapter 169 of the compiled laws of 1881, relative to marriage and the solemnization thereof, and to restore and amend sections 10, 11, and 12 of said chapter, as repealed by act No. 194 of the session laws of 1867;

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. Francis, previous notice having been given and leave being granted introduced

Senate joint resolution No. 23, entitled

A joint resolution authorizing and directing the Auditor General to credit to the county of Manitou the sum of fifteen hundred dollars.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Moon, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 24, entitled

A joint resolution directing the Board of State Auditors to settle a claim of Muskegon county against the State of Michigan for shortage in the amount credited by the Auditor General to said county under section 10 act 197 of the public acts of the session laws of 1883.

The bill was read a first and second time by its title and referred to the committee on State affairs.



## THIRD READING OF BILLS.

Senate bill No. 53 (File No. 35), entitled

A bill prohibiting judges of courts of record or justices sitting in cases when they are related to any attorney, counsellor, or solicitor in the case,

Was read a third time, and

On motion of Mr. Hubbell,

The bill was re-committed to the committee of the whole.

## GENERAL ORDER.

On motion of Mr. Pennell,

The Senate went into committee of the whole on the general order,

Mr. Kempf in the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following:

1. Senate bill No. 96 (File No. 44), entitled

A bill to amend section 2 of act No. 43 of the general laws of 1867, entitled "An act to provide for the formation of corporations for establishing health institutions," approved March 13, 1867, being section 3026 of the compiled laws of 1871, being section 4801 of Howell's Annotated Statutes;

2. Senate bill No. 96 (File No. 45), entitled

A bill to amend section 3, of act No. 97, of the general laws of 1861, entitled "An act to provide for the incorporation of associations for the publication of periodicals, newspapers, books, tracts, documents, and other publications," approved March 7, 1861, as amended by act No. 317 of the general laws of 1865, being section 3180 of the compiled laws of 1871, being section 4198 of Howell's Annotated Statutes;

3. Senate bill No. 62 (File No. 47), entitled

A bill to provide for the finding and return of verdicts by a less number than six jurors in trial of cases in justice courts in this State;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

The committee of the whole have also had under consideration the following

4. Senate joint resolution No. 3 (File No. 4), entitled

Joint resolution proposing an amendment to section 11 of article 5 of the constitution of the State, relative to reprieves, commutations, and pardons.

5. Senate bill No. 50 (File No. 26), entitled

A bill to authorize the board of health of the township of Vassar, Tuscola county, State of Michigan, to remove and re-inter all the dead bodies and remains buried in the cemetery located on the west half of the northeast quarter section 12, township No. 11 north, of range 7 east, in the village of Vassar, Tuscola county, to the Riverside cemetery, located on the south half of the northwest quarter of section 13, township No. 11 north, of range 7 east, township of Tuscola, Tuscola county, Michigan;

6. Senate bill No. 89 (File No. 49), entitled

A bill to amend section 44 of chapter 46 of the compiled laws of 1871, being compiler's section 1735, and being also section 1676 of Howell's Annotated Statutes relative to public health;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following:

7. Senate joint resolution No. 4 (File No. 6), entitled

Joint resolution providing for the re-argument of the case of "The State vs the Iron Cliff Co."

Have directed their chairman to report the same back to the Senate, with the recommendation that it be laid on the table;

8. Senate bill No. 87 (File No. 48), entitled

A bill to amend section 5552 of the compiled laws of 1871, being section 7109 of Howell's Annotated Statutes, relative to appeals from the judgment of justices in criminal cases in justices' courts.

Have directed their chairman to report the same back to the Senate with the recommendation that the further consideration of the bill be indefinitely postponed.

R. KEMPF, *Chairman*.

The three first named bills were placed on the order of third reading of bills.

On motion of Mr. Kempf,

The Senate concurred in the amendments made by the committee to the three second named joint resolution and bills, and the same were placed on the order of third reading of bills.

On motion of Mr. Kempf,

The Senate concurred in the recommendation of the committee regarding the seventh named joint resolution, and the same was laid on the table.

Mr. Kempf moved that the Senate concur in the recommendation of the committee regarding the eighth named bill.

Mr. Henry called for the yeas and nays.

The recommendation of the committee was concurred in by yeas and nays as follows:

#### YEAS.

Mr. Austin,	Mr. Curtiss,	Mr. Hubbell,	Mr. Pulver,
Belknap,	Davis,	Monroe,	Smith, G. A.,
Brown,	Francis,	Moon,	Smith, S. W.,
Carveth,	Heisterman,	Pennell,	Woodruff,
Cline,	Hertzler,		

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#### NAYS.

Mr. Davenport,	Mr. Kempf,	Mr. Shoemaker,	Mr. Stephenson,
Henry,	Manwaring,	Spencer,	

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By unanimous consent the Senate took up the order of

#### NOTICES.

Mr. Francis gave notice that on some future day he would ask leave to introduce

A bill to authorize the village of Petoskey to raise money to aid in the construction of county buildings.

Mr. Henry gave notice that on some future day he would ask leave to introduce

A bill to incorporate the city of Au Sable, in Iosco county.

On motion of Mr. Belknap,

The Senate went into executive session, the time being 5:15 o'clock P. M.

The executive session closed, the time being 5:30 P. M.

On motion of Mr. Penfull,

The Senate adjourned.

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*Lansing, Wednesday, February 25, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.

Prayer by Rev. Mr. Taylor.

Roll called: a quorum present.

Absent without leave: Senators Curtiss, Edwards, and Hawley.

Mr. Hertzler asked and obtained leave of absence for all absentees for the day.

#### PETITIONS.

No. 133. By Mr. Henry: Remonstrance of Charles Perkins, and 11 others, against the passage of Senate bill No. 156, being a bill to certain territory from the union school district of the township of Rogers, Presque Isle county; Referred to committee on education and public schools.

No. 134. By the same: Remonstrance of S. C. Bryant, and 39 others, against the incorporation of Tawas city.

No. 135. By the same: Remonstrance of O. E. M. Cutcheon, and 12 others, against the incorporation of Au Sable and Oscoda under one charter as a city.

No. 136. By the same: Petition of Green Pack, and 36 others, for the incorporation of the village of Oscoda.

No. 137. By the same: Petition of George D. McKay, and 137 others for the same object.

No. 138. By the same: Remonstrance of E. K. McKie and 32 others against incorporation of Au Sable and Oscoda under one city charter.

No. 139. By the same: Remonstrance of A. H. Fish and 32 others against the incorporation of Oscoda as a city either with or without the annexation of Au Sable.

No. 140. By the same: Remonstrance of George Marsh and 46 others, same object.

The first named petition was referred to the committee on education and public schools.

Petitions Nos. 134-140 were referred to the committee on cities and villages.

No. 141. By Mr. Spencer: Petition of L. M. Beagle and 11 others for the passage of the bill for the promotion of pharmacy.

No. 142. By the same: Petition of A. C. Merrill and 11 others, same object.

The last two petitions were referred to the committee on public health.

No. 143. By Mr. Brown: Petition of the board of directors of the public library of the village of Sturgis, for amendments to the law relating to free public libraries;

Referred to the committee on education and public schools.

No. 144. By Mr. Moon: Memorial of Rollin S. Thomson, ex-county treasurer, Horace L. Delano, prosecuting attorney, John Tait, county clerk, and Martin Waalkes, deputy county treasurer, of Muskegon county, relative to amount due from the State to said county, on account of delinquent taxes assessed against the Detroit & Milwaukee railroad lands;

Referred to the committee on State affairs.

No. 145. By Mr. Moon: Petition of Alex. Eckerman, Rolin S. Thompson, and O. L. Gunn, of Muskegon, and sixty other old soldiers, for the passage of Senate bill 49, relative to the burial of honorably discharged soldiers, sailors, and marines who shall hereafter die without sufficient means to defray funeral expenses, within this State;

Referred to committee on State affairs.

No. 146. By Mr. Moon: Petition of John McFie for restitution of money paid on railroad lands;

Referred to committee on State affairs.

No. 147. By Mr. Hubbell: Memorial of Alanson Sheley, J. S. Farrand, E. C. Walker, Edmund Hall, H. P. Baldwin, James V. Campbell, Jno. S. Newberry, Wm. A. Butler, James E. Pittman, B. Vernor, F. Buhl, James F. Joy, R. W. King, J. Huff Jones, A. C. McGraw, J. Owen, D. Bethune Duffield, and Philo Parsons, asking for an appropriation for the purpose of securing and placing a statue of General Lewis Cass as one of the illustrious men of Michigan, in old Representative hall in the national capitol.

On motion of Mr. Hubbell,

The memorial was ordered spread on the Journal and referred to the committee on State affairs.

The following is the memorial:

*To the Legislature of the State of Michigan:*

The undersigned, citizens of the State, respectfully represent that in the collection of statues deposited by the various States to commemorate their illustrious men, in the national capitol at Washington, Michigan has thus far failed to place memorials of any of her citizens. It is now more than a century since this region was included within the United States by the terms of the treaty of peace at the close of the revolution, and more than three quarters of a century since the Territory of Michigan was organized. The administration of its first Governor presents nothing important to commemorate, but the remainder of the territorial existence was chiefly under the superintendence of a man whose career was such as to deserve the highest honor. General Lewis Cass, who came here first as a volunteer soldier, whose efforts to save this frontier from the enemy were foiled by the misconduct of an unworthy commander, came back with the well-won higher rank in the army of General Harrison, and in acknowledgment of good service was placed in command of the recovered territory as military, and afterwards as civil Governor. He held the latter office through five successive appointments during the administrations of Madison, Monroe, Adams, and Jackson, until the latter called him into his cabinet as Secretary of War, and not long afterwards appointed him ambassador to France, with the unanimous approval of a Senate that was very critical of his nominations, and at a time when our relations with that kingdom had become very delicate. His conduct at the French court secured universal admiration, and his personal credit there was such that the French government did him the distinguished honor of procuring and placing his portrait in the gallery

at Versailles. Upon his return from France, he was chosen as Senator from Michigan, and so long as he filled that office he stood in the front rank among its great members, respected equally by political friends and adversaries. As Secretary of State, in the period before the war of secession, he ended his public career with unfaltering patriotism. His services in our early stage of development were such as to render him, above all others, the representative and founder of our best institutions. He found a country desolated by war, filled with unfriendly Indians, entirely unused to self-government, and not very anxious to enjoy it. By firmness and wisdom he secured continued peace among the savages, broke up their foreign alliances, and obtained the cession of a large part of the territory for occupation and settlement. He explored in person the remote forests and waters of the northwest, traveling in canoes for many thousand miles, sharing cheerfully all the privations and dangers of such enterprises, and first made the world acquainted with a large amount of historical, geographical, and scientific information, covering this little-known and almost fabulous region. By his elegant scholarship he became widely reputed as one of the foremost writers on the annals and antiquities of the northwest, as he was also approved as a statesman of broad and liberal views. He labored persistently and successfully to educate the local population into an appreciation of the importance of self-government, and the advancement of those ideas is due chiefly to his unwearied efforts.

The community which he found oppressed by the inertia of old feudal training he left an enterprising and promising body politic, ready to become in the near future a noble and vigorous State, maintaining its own dignity and cherishing those institutions which build up great republics. No man is fit for high position who has not distinct political views, which for the time separate him more or less from his cotemporaries of different sentiments. One who has had no opinion which defined his public position can never deserve commemoration as a representative public character. When a patriot dies all such differences should die with him. Viewed now in the light of history, General Cass stands out prominently as a noble, patriotic, representative American, a worthy product of our best civilization, and, above all other single men, the true founder of Michigan. We respectfully urge your honorable body to make his statue the first contribution of this now rich and populous State to the great representative gallery of illustrious Americans in Washington, and to have it fashioned of such enduring material as will enable the people of the distant future to recognize the simple and manly dignity of the builders of this commonwealth,

No. 148. By Mr. Hubbell: Memorial of P. H. Gallagher, of Hancock, Mich., in favor of the passage of Senate bill 82, regulating pharmaceutical practice in Mich.;

Referred to the committee on public health.

No. 149. By Mr. Hubbell: Petition of James Mercer, W. O. Butler and 65 other residents of the village of Ontonagon, asking for the passage of the bill to incorporate said village;

Referred to the committee on cities and villages.

No. 150. By Mr. Hubbell: Petition of St. Mary's Canal and Mineral Land Co., and the Calumet and Hecla Mining Co., in favor of the bill to change the boundary lines between the townships of Portage and Adams;

Referred to the committee on counties and townships.

No. 151. By Mr. Brown: Remonstrance of Allen Porter, H. G. Wells and 27 other citizens of the city of Kalamazoo against the passage of House bill relative to the protection of game;

On motion of Mr. Brown,

The remonstrance was ordered spread on the Journal and referred to the committee on State affairs.

The following is the remonstrance :

*To the Honorable the Senate of the State of Michigan :*

The undersigned desire respectfully to remonstrate against the passage of House bill No. 96.

For the reason that we believe the opinion which is prevalent that the hunting of deer with dogs is the principal or prime cause of their growing scarcity is altogether erroneous.

It is claimed that hunting with dogs drives the deer from the country. If that be so we deem it a proper question to ask, where are they driven to? So far as the northern part of the lower peninsula is concerned, they are not driven south, and they cannot, for reasons which are perfectly obvious, be driven out of the country in any other direction.

That there is a growing scarcity of this valuable game must be admitted, but it should be ascribed to other causes than the hunting of them with dogs. To undertake to enumerate all the causes which operate to reduce their numbers, would extend this remonstrance to too great length ; we desire, however, respectfully to ask you to consider the following practices, which have come under our observation, or which we have obtained from reliable sources, as tending in a great measure to account for the constantly diminishing number of deer in Michigan :

*First*, Hunting out of season with indiscriminate slaughter, regardless of age, sex, and in defiance of law.

*Second*, Hunting for market and transportation out of the State, in violation of the law in that respect.

*Third*, Indiscriminate destruction of deer, regardless of the season, for their hides only. In this direction we desire to call attention to the fact, that tanneries are established in the northern part of the State for the purpose of tanning the hides of such deer before sending them off, so that it is almost impossible to convict perpetrators of having in possession the skins of fawns in the "spotted coat" or deer skins in the "red coat."

*Fourth*. Hunting at night in spring, summer, and autumn with decoy lights, by floating down rivers and shooting them from boats. It is well known that during the warm season they habitually go to water to free themselves from the insects which annoy them at that season, and thereby become the victims of the lawless who kill them, strip them of their hides, and leave the carcass as food for ravens and wolves.

The question then resolves itself to this: May we not more properly ascribe the growing scarcity complained of to the practices above mentioned than to the use of dogs in pursuing them? It is well known that the number killed by market hunters (very many being non-residents of the State) and by those who kill them out of season mainly for their hides exceeds by many thousand, annually, the number killed with dogs.

And we furthermore remonstrate particularly against one feature of the bill referred to as being inhuman and cruel. We refer to that provision which allows the shooting of the animal that is simply following the instinct of his nature in the pursuit of game, instead of punishing his master for violating the law of the State.

## REPORTS OF STANDING COMMITTEES.

By the committee on State capitol and public buildings:

The committee on State capitol and public buildings, to whom was referred Senate joint resolution No. 22, entitled

Joint resolution to authorize and provide for lighting the capitol building, and grounds by electric light

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in and that the joint resolution when so amended do pass, and ask to be discharged from the further consideration of the subject.

CHRISTIAN HERTZLER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hertzler,

The Senate concurred in the amendments made to the joint resolution by the committee.

The joint resolution was then ordered printed, referred to the committee of the whole, and placed on the general order.

## MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 25, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 615, entitled

A bill to extend the time for the collection of taxes of 1884 within this State;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and

On motion of Mr. Hubbell,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Greiner,	Mr. Kempf,	Mr. Smith, G. A.,
Belknap,	Heisterman,	Manwaring,	Smith, S. W.,
Brown,	Henry,	Monroe,	Spencer,
Carveth,	Hertzler,	Moon,	Stephenson,
Davenport,	Hubbell,	Phelps,	Woodruff,
Francis,	Hueston,	Shoemaker,	

23

## NAYS.

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On motion of Mr. Hubbell,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, Feb. 24, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 426, entitled

A bill to authorize the village of St. Louis to borrow money for the purpose of making public improvements in the village of St. Louis;

2. House bill No. 530, entitled

A bill to extend the time for the collection of taxes in the township of Indianfields, Tuscola county, Michigan, for the year 1884;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and

On motion of Mr. Woodruff,

The rules were suspended, and the bill was placed on its immediate passage-

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Greiner,	Mr. Manwaring,	Mr. Shoemaker,
Belknap,	Heisterman,	Monroe,	Smith, G. A.,
Brown,	Henry,	Moon,	Smith, S. W.,
Carpenter,	Hertzler,	Pennell,	Spencer,
Oline,	Hubbell,	Phelps,	Stephenson,
Davenport,	Hueston,	Pulver,	Woodruff,
Francis,	Kempf,		
			26
			0

NAYS.

Title agreed to.

On motion of Mr. Woodruff,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The second-named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 24, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 153 (File No. 46), entitled

A bill to amend section 3 of chapter 1, section 6 of chapter 6, section 10 of chapter 7, section 11 of chapter 8, section 4 of chapter 12, and section 27 of chapter 24, of an act entitled "An act to incorporate the city of Manistee," approved March 15, 1882;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take



immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on cities and villages.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, Feb. 24, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 167 (File No. 76), entitled

A bill to amend section 11 of chapter 263 of the compiled laws of 1871, being compiler's section 9593 of Howell's Annotated Statutes of Michigan of 1882, relative to inquests;

2. House bill No. 249 (File No. 86), entitled

A bill to authorize the board of supervisors of the county of St. Joseph to dispose of the proceeds of the sale of their poor farm;

3. House bill No. 210 (File No. 81), entitled

A bill to make it a misdemeanor to unhitch any horse or team, or ride or drive the same away in certain cases,

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on judiciary.

The second named bill was read a first and second time by its title and referred to the committee on State affairs.

The third named bill was read a first and second time by its title and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, Feb. 24, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 420, entitled

A bill to authorize the Ingham County Agricultural Society to borrow money by way of mortgage on its real estate for the purpose of paying its indebtedness;

2. House bill No. 519, entitled

A bill to extend the time for the collection of taxes in the town of Chesaning, Saginaw county, Mich., for the year 1884,

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on agricultural interests.

The second named bill was read a first and second time by its title, and On motion of Mr. Davenport,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Kempf,	Mr. Shoemaker,
Belknap,	Greiner,	Manwaring,	Smith, G. A.,
Brown,	Heisterman,	Monroe,	Smith, S. W.
Carpenter,	Hedry,	Moon,	Spencer,
Carveth,	Hertzler,	Pennell,	Stephenson,
Cline,	Hubbell,	Phelps,	Woodruff,
Davenport,	Hueston,	Pulver,	27

## NAYS.

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Title agreed to.

On motion of Mr. Davenport,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

## MOTIONS AND RESOLUTIONS.

Mr. Phelps moved that the Secretary be instructed to send a respectful message to the House asking the return of the following bills:

1. House bill No. 259, entitled

A bill to authorize the city of Cadillac, in the county of Wexford, to borrow money to make public improvements in said city;

2. House bill No. 204, entitled

A bill to authorize the village of Evart, in the county of Osceola, to raise money to make public improvements in said village;

Which motion prevailed.

Mr. G. A. Smith moved to discharge the committee of the whole from the further consideration of the following bills:

1. Senate bill No. 74 (File No. 33), entitled

A bill to amend sections 16 and 18 of chapter 266 of the compiled laws of 1871, being sections 9649 and 9651 of Howell's Annotated Statutes, relative to jails;

2. Senate bill No. 65 (File No. 42), entitled

A bill to amend sections 1, 2, 3, 5, and 6 of "An act establishing a State agency for the care of juvenile offenders," approved April 29, 1873, as amended by "An act to amend section 1" of said act, approved March 19, 1875;

Which motion prevailed.

On motion of Mr. G. A. Smith,

The bills were laid on the table.

## INTRODUCTION OF BILLS.

Mr. Belknap, previous notice not having been given and leave being granted, introduced

Senate joint resolution No. 25, entitled

Joint resolution authorizing the Board of State Auditors to adjust the claims of Peter Des Pelder, growing out of the sale of certain State swamp lands.

The bill was read a first and second time by its title, and referred to the committee on public lands.

Mr. Belknap, previous notice having been given and leave being granted, introduced

Senate bill No. 322, entitled

A bill to provide for the appointment of a game and fish warden and to prescribe his duties.

The bill was read a first and second time by its title and referred to the committee on State affairs.

Mr. Oline, previous notice having been given and leave being granted, introduced

Senate bill No. 323, entitled

A bill to amend section 1 of act 128 of the session laws of 1875, establishing a homœopathic college at Ann Arbor.

The bill was read a first and second time by its title, and referred to the committee on the university.

Mr. Oline, previous notice not having been given and leave being granted, introduced

Senate bill No. 324, entitled

A bill to amend section nine of article two of the general railroad laws of this State, entitled an act to revise the laws providing for the incorporation of railroad companies, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State, approved May 1, 1873.

The bill was read a first and second time by its title, and

On motion of Mr. Cline,

The bill was laid on the table.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 26, entitled

Joint resolution to amend section ten of article ten of the constitution of this State, relative to boards of supervisors and board of auditors of Wayne county.

The joint resolution was read a first and second time by its title, and referred to the committee on constitutional amendments and State affairs.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 325, entitled

A bill to amend the charter of the city of Menominee, incorporated by act No. 88 of the session laws of 1883.

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 326, entitled

A bill supplementary to an act entitled "An act to revise the laws providing for the incorporation of railroad companies, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State," approved May 1, 1873.

The bill was read a first and second time by its title and referred to the committee on railroads.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 327, entitled

A bill to authorize the enlistment, organization, equipping, and mustering into the State service of a military company at the city of Menominee, county of Menominee and State of Michigan, to be attached to one of the regiments of State troops.

The bill was read a first and second time by its title and referred to the committee on military affairs.

Mr. Phelps, previous notice having been given and leave being granted, introduced

Senate bill No. 328, entitled

A bill to incorporate the village of Chippewa Lake.

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. Phelps, previous notice having been given and leave being granted, introduced

Senate bill No. 329, entitled

A bill to provide for the payment to the several counties of the State by the Auditor General thereof of all moneys due under section 3942 of the compiled laws of 1871, being section 5394 of Howell's Annotated Statutes.

The bill was read a first and second time by its title, and

On motion of Mr. Phelps,

The bill was laid on the table.

Mr. Phelps, previous notice having been given and leave being granted, introduced

Senate bill No. 330, entitled

A bill to provide for uniform text-books for all primary, district, and graded schools of the State of Michigan, receiving State patronage, being wholly or in part supported by public moneys or the mill tax, excepting the State Normal school, Agricultural college and the University of Michigan.

The bill was read a first and second time by its title, and

On motion of Mr. Phelps,

The bill was laid on the table.

Mr. Phelps, previous notice having been given and leave being granted, introduced

Senate bill No. 331, entitled

A bill to regulate conditional sales of personal property.

The bill was read a first and second time by its title, and, referred to the committee on the judiciary.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 332, entitled

A bill to regulate the passenger and freight traffic, to provide for a uniform classification of freights and maximum freight rates, and to prevent unjust discrimination in charges of toll or compensation for the transportation of passengers or freights upon the railroads in this State.

The bill was read a first and second time by its title, and

On motion of Mr. Shoemaker.

The bill was referred to the committee on railroads.

Mr. Pulver, previous notice having been given and leave being granted, introduced

Senate bill No. 333, entitled

A bill to compel foreign corporations and joint stock companies organized for the purpose of smelting, refining, or reducing iron, lead, copper, or other ores and minerals, doing business in the State of Michigan, to make annual reports to the Auditor General, and to provide for a specific tax on the same.

The bill was read a first and second time by its title and referred to the committee on banks and incorporations.

Mr. Pulver, previous notice having been given and leave being granted, introduced

Senate bill No. 334, entitled

A bill relative to the improvement of the Lookingglass river in the counties of Clinton and Shiawassee, and to repeal act No. 239, laws of 1881.

The bill was read a first and second time by its title and referred to the committees on public lands and the judiciary.

Mr. Woodruff, previous notice having been given and leave being granted, introduced

Senate bill No. 335, entitled

A bill to re-incorporate the village of St. Louis, in the county of Gratiot, and to repeal act No. 223 of the session laws of 1873, as amended by act No. 355 of the session laws of 1875, act No. 329 of the session laws of 1877, act No. 300 of the session laws of 1879, and act No. 398 of the session laws of 1881.

The bill was read a first and second time by its title, and

On motion of Mr. Woodruff,

The bill was laid on the table.

Mr. Manwaring, previous notice having been given and leave being granted, introduced

Senate bill No. 336, entitled

A bill to establish district work houses and provide for their management and maintenance.

The bill was read a first and second time by its title, and

On motion of Mr. Manwaring,

The bill was laid on the table.

Mr. Manwaring, previous notice having been given and leave being granted, introduced

Senate bill No. 337, entitled

A bill to authorize the Board of State Auditors to audit and allow all just claims for services rendered by fire companies who aid in extinguishing fires in State property.

The bill was read a first and second time by its title, and referred to the committee on State capitol and public buildings.

Mr. Manwaring, previous notice having been given and leave being granted, introduced

Senate bill No. 338, entitled

A bill to amend certain enumerated sections of an act entitled "An act to revise and consolidate the laws of this State providing for the drainage of swamps, marshes, and other low lands, and to repeal the acts of March 22, 1869, and April 13, 1871, known as the county drain law and the township drain law, being act No. 267 of the session laws of 1881," approved June 11, 1881.

The bill was read a first and second time by its title, and referred to the committee on public health.

Mr. Francis, previous notice having been given and leave being granted, introduced

Senate bill No. 339, entitled

A bill to authorize the village of Petoskey to raise money to aid in the construction of county buildings.

The bill was read a first and second time by its title, and

On motion of Mr. Francis,

The bill was laid on the table.

Mr. Hueston (by request), previous notice having been given and leave being granted, introduced

Senate bill No. 340, entitled

A bill to amend section 6193 of Howell's Annotated Statutes of the laws of Michigan, relative to chattel mortgages.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. Hueston (by request), previous notice having been given and leave being granted, introduced

Senate bill No. 341, entitled

A bill to amend section 626 of Howell's Annotated Statutes of the laws of Michigan, relative to the appointment to the office of notary public.

The bill was read a first and second time by its title and referred to the committee on judiciary.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 342, entitled

A bill to authorize the city of Battle Creek to construct and maintain water-works and sewers, and to establish a board of public works.

The bill was read a first and second time by its title and,

On motion of Mr. Austin,

The bill was laid on the table.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 343, entitled

A bill for the apportionment of Senators in the State Legislature.

The bill was read a first and second time by its title and,

On motion of Mr. Austin,

The bill was laid on the table.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 344, entitled

A bill to amend section 107 of chapter 14 of the revised statutes of 1846, being section 597 of the compiled laws of 1871, and section 626 of Howell's Annotated Statutes, relative to the appointment of Notaries Public.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 345, entitled

A bill to amend section 5 of act No. 79 of the session laws of 1873, entitled "An act to provide for the appointment of a Commissioner of Railroads, and to define his powers, duties, and fix his compensation, and the acts amendatory thereof."

The bill was read a first and second time by its title and referred to the committee on railroads.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 346, entitled

A bill to amend section 21, of chapter 40 of act No. 269, of the public acts of 1881, being section 1711, of Howell's Annotated Statutes, relative to drainage of swamps, marshes, and other low lands.

The bill was read a first and second time by its title, and

On motion of Mr. Henry,

The bill was laid on the table.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 347, entitled

A bill to amend section 751 of the compiled laws of 1871, being section 750 of Howell's Annotated Statutes, relative to the authority of township boards to raise money for township purposes.

The bill was read a first and second time by its title, and

On motion of Mr. Henry,

The bill was laid on the table.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 348, entitled

A bill to incorporate the city of East Tawas in Iosco county.

The bill was read a first and second time by its title, and

On motion of Mr. Henry,

The bill was laid upon the table.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 349, entitled

A bill to incorporate the village of East Tawas in Iosco county.

The bill was read a first and second time by its title, and

On motion of Mr. Henry,

The bill was laid upon the table.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 350, entitled

A bill for the apportionment of Senators in the State Legislature.

The bill was read a first and second time by its title, and

On motion of Mr. Henry,

The bill was laid on the table.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 351, entitled

A bill relative to particulars in actions of trover and replevin.

The bill was read a first and second time by its title, and

On motion of Mr. Henry,

The bill was laid on the table.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 352, entitled

A bill to incorporate the city of Au Sable, in Iosco county.

The bill was read a first and second time by its title, and

On motion of Mr. Henry,

The bill was laid on the table.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 353, entitled

A bill to amend section 4304 of the compiled laws of 1871, being section 5774 of Howell's Annotated Statutes, relative to determination of all estates at will or by sufferance;

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 354, entitled,

A bill to amend sections eight (8), nine (9), and eleven (11) of act number 259 of the public acts of 1881, being sections 2277, 2278, and 2280 of Howell's Annotated Statutes, and to add three (3) new sections thereto to stand as sections 15, 16, and 17 of said act, and to stand as sections 2283a, 2283b, and 2283c of Howell's Annotated Statutes, relative to the sale of spirituous and intoxicating liquors to minors, drunken persons, and habitual drunkards, and to provide for the better enforcement of said act.

The bill was read a first and second time by its title, and referred to the committee on the liquor traffic.

Mr. Cline, previous notice having been given and leave being granted, introduced

Senate bill No. 355, entitled

A bill to provide for the examination of surveyors of land, and regulate the same in this State.

The bill was read a first and second time by its title, and

On motion of Mr. Cline,

The bill was laid on the table.

Mr. Carveth, previous notice having been given and leave being granted, introduced

Senate bill No. 356, entitled

A bill to repeal an act entitled "An act to incorporate the board of education of the city of Hastings," approved April 2, 1873, and to provide for the government of the public schools of the city of Hastings.

The bill was read a first and second time by its title, and

On motion of Mr. Carveth,

The bill was laid on the table.

Mr. Carveth, previous notice having been given and leave being granted, introduced

Senate bill No. 357, entitled

A bill to re-incorporate the city of Hastings, and to repeal an act entitled "An act to incorporate the city of Hastings," approved March 11, 1871, as amended by act No. 228, of the session laws of 1873, and by act No. 386, of the session laws of 1875, and all other acts and laws relating to the incorporation of the city of Hastings.

The bill was read a first and second time by its title, and

On motion of Mr. Carveth,

The bill was laid on the table.



Mr. Carveth, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 27, entitled

Joint resolution providing for the appointment of a commission for the purpose of inquiring into and reporting upon the desirability and practicability of draining and lowering Thornapple lake, in Barry county.

The joint resolution was read a first and second time by its title and referred to the committee on State affairs.

Mr. Carveth, previous notice having been given and leave being granted, introduced

Senate bill No. 358, entitled

A bill to prohibit the taking or catching of fish in Gun lake in the counties of Barry and Allegan, by means of spears, nets, firearms, or artificial lights.

The bill was read a first and second time by its title and referred to the committee on fisheries.

Mr. Kempf, previous notice having been given and leave being granted, introduced

Senate bill No. 359, entitled

A bill making an appropriation of \$20,000 as a working capital for the Northern Michigan Asylum for the insane.

The bill was read a first and second time by its title and referred to the committees on Northern Asylum for the Insane and appropriations and finances jointly.

Mr. Kempf, previous notice having been given and leave being granted, introduced

Senate bill No. 360, entitled

A bill to provide for the planting and preservation of forest trees.

The bill was read a first and second time by its title, and

On motion of Mr. Kempf,

The bill was laid upon the table.

Mr. Kempf, previous notice having been given and leave being granted, introduced

Senate bill No. 361, entitled

A bill to prohibit the collection of damages in certain cases on contracts for breach of promise to marry.

The bill was read a first and second time by its title, and

On motion of Mr. Kempf,

The bill was laid upon the table.

Mr. Spencer, previous notice having been given and leave being granted, introduced

Senate bill No. 362, entitled

A bill to amend section 4 of act No. 316 of the session laws of 1877, as amended by act No. 323 of the session laws of 1879, being an act entitled "An act to reorganize the union school district of the city of Flint," and to repeal act No. 309 of the session laws of 1867, act No. 375 of the session laws of 1871, and act No. 22 of the session laws of 1872.

The bill was read a first and second time by its title and referred to the committee on education and public schools.

Mr. Spencer, previous notice having been given and leave being granted, introduced

Senate bill No. 363, entitled

A bill to revise and consolidate the laws organizing asylums for the insane, and regulating the care and management thereof and the inmates therein.

The bill was read a first and second time by its title and referred to the committee on asylums for the insane.

Mr. Spencer, previous notice having been given and leave being granted, introduced

Senate bill No. 364, entitled

A bill making an appropriation towards maintaining the fire department of the city of Flint.

The bill was read a first and second time by its title and referred to the committee on State affairs and appropriations and finance jointly.

Mr. Hubbell, previous notice having been given and leave being granted, introduced

Senate bill No. 365, entitled

A bill to amend section 14 of chapter 2 of public act 243 of the session laws of 1881, being section 1338 of Howell's Annotated Statutes, relative to highway taxes.

The bill was read a first and second time by its title and referred to the committee on counties and townships.

Mr. Hubbell, previous notice having been given and leave being granted, introduced

Senate bill No. 366, entitled

A bill to fix the liability of sureties on the bonds of public officers.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Hubbell, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 28, entitled

A joint resolution to provide for placing a statue of Gen. Lewis Cass in the Representative Gallery of Illustrious Americans at the National Capitol.

The joint resolution was read a first and second time by its title and referred to the committees on State affairs and appropriations and finance jointly.

Mr. Hubbell, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 29, entitled

A joint resolution to authorize the Board of State Auditors to allow a certain sum as compensation for the compilation of the Legislative Manual.

The joint resolution was read a first and second time by its title, and referred to the committee on appropriations and finance.

Mr. Moon, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 30, entitled

Joint resolution to refund to John Macfie certain money paid by him for timber on land claimed by the State and afterwards patented to him under act No. 275 of the session laws of 1881.

The joint resolution was read a first and second time by its title, and referred to the committee on appropriations and finance.

Mr. Hubbell, previous notice not having been given and leave being granted, introduced

Senate bill No. 367, entitled

A bill to define and fix the boundary lines of school district No. 1 of the township of Portage, in the county of Houghton.

The bill was read a first and second time by its title, and referred to the committee on counties and townships.

Mr. Moon, previous notice not having been given and leave being granted, introduced

Senate bill No. 368, entitled

A bill authorizing the enlistment, organization, equipping, and mustering into the State service, of a military company at the city of Muskegon, and State of Michigan, to be attached to one of the regiments of State troops.

The bill was read a first and second time by its title and referred to the committee on military affairs.

Mr. Manwaring, previous notice having been given and leave being granted, introduced

Senate bill No. 369, entitled

A bill requiring insurance companies to pay the full amount specified in policies in case of total loss.

The bill was read a first and second time by its title and

On motion of Mr. Manwaring,

The bill was laid upon the table.

Mr. Greiner, previous notice having been given and leave being granted, introduced

Senate bill No. 370, entitled

A bill to provide for an appropriation for the erection of a historical tablet on the battlefield of Gettysburg, commemorative of the services of Michigan troops of the First Army Corps, Army of the Potomac.

The bill was read a first and second time by its title and referred to the committee on military affairs.

Mr. Monroe, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 31, entitled

A joint resolution for the relief of Edward H. Kenter.

The joint resolution was read a first and second time by its title, and,

On motion of Mr. Monroe,

The joint resolution was laid on the table.

Mr. Monroe, previous notice having been given and leave being granted, introduced

Senate bill No. 371, entitled

A bill to provide for the examination of banks, banking associations, individual bankers, and corporations doing a banking business.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Monroe, previous notice having been given and leave being granted, introduced

Senate bill No. 372, entitled

A bill to amend section 417 of Howell's Annotated Statutes, section 5 act 206 session laws of 1881, relative to State institutions and regulations thereof.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Monroe, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 32, entitled

Joint resolution for the relief of Frank Z. Thompson.

The joint resolution was read a first and second time by its title and referred to the committee on appropriations and finance.

Mr. Monroe, previous notice not having been given and leave being granted, introduced

Senate bill No. 373, entitled

A bill to increase the usefulness of the Michigan weather service.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Monroe, previous notice having been given and leave being granted, introduced

Senate bill No. 374, entitled

A bill to provide for the conveyance of prisoners to penal and reformatory institutions.

The bill was read a first and second time by its title and referred to the committee on State affairs.

Mr. Monroe, previous notice having been given and leave being granted, introduced

Senate bill No. 375, entitled

A bill to alter and amend sections 1, 2, 3, 4, 6, 13, 33, 34, 46, 66, 67, 69, and 72 of act No. 135, session laws of 1857, entitled "An act to authorize the business of banking and acts amendatory and supplemental thereto," being sections 3135, 3136, 3137, 3138, 3140, 3152, 3167, 3168, 3180, 3201, 3202, 3204, and 3207 of the general statutes of Michigan, compiled by Andrew Howell.

The bill was read a first and second time by its title, and

On motion of Mr. Monroe,

The bill was ordered printed and referred to the committee on banks and incorporations.

Mr. G. A. Smith, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 33, entitled

Joint resolution for the appointment of commissioners to prepare a code of procedure or simplify and abridge the practice and pleadings of the courts of this State.

The joint resolution was read a first and second time by its title, and referred to the committee on the judiciary.

Mr. S. W. Smith, previous notice not having been given and leave being granted, introduced

Senate bill No. 376, entitled

A bill to prohibit the manufacture and sale of "oleomargarine and butterine," or any article in the semblance of butter and not the legitimate product of the dairy and not made exclusively of milk or cream.

The bill was read a first and second time by its title and referred to the committee on State affairs.

Mr. S. W. Smith, previous notice having been given and leave being granted introduced

Senate bill No. 377, entitled

A bill to make the possession of fish or game during the close season *prima facie* evidence of the illegal capture of such fish or game.

The bill was read a first and second time by its title and referred to the committee on State affairs.

Mr. S. W. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 378, entitled

A bill to amend sections 1625 and 1626, Howell's Annotated Statutes, being sections 4 and 5 of act No. 81, laws of 1873, being an act entitled "An act to establish a State Board of Health to provide for the appointment of a superintendent of vital statistics, and to assign certain duties to local boards of health.

The bill was read a first and second time by its title and referred to the committee on public health.

Mr. Davenport, previous notice having been given and leave being granted, introduced

Senate bill No. 379, entitled

A bill to authorize the Board of Water Commissioners of the city of East Saginaw to borrow money to lay water pipes.

The bill was read a first and second time by its title and referred to the committee on cities and villages.

Mr. Brown, previous notice having been given and leave being granted, introduced

Senate bill No. 380, entitled

A bill to provide for the establishment of an institution for the care of idiots and imbeciles.

The bill was read a first and second time by its title and referred to the committee on institution for care of idiots and imbeciles.

Mr. Brown, previous notice having been given and leave being granted, introduced

Senate bill No. 381, entitled

A bill making an appropriation towards maintaining the fire department of the city of Kalamazoo.

The bill was read a first and second time by its title, and

On motion of Mr. Brown,

The bill was laid on the table.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 382, entitled

A bill to amend chapter 106 of the Compiled Laws of 1871, being chapter 167 of Howell's Annotated Statutes relative to industrial schools, by adding two new sections thereto to stand as sections 7 and 8.

The bill was read a first and second time by its title and referred to the committee on education and public schools.

Mr. Hueston, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 34, entitled

Joint resolution to amend article 10, section 10 of the constitution, relative to board of auditors of Wayne county making an appeal to circuit courts of said county.

The joint resolution was read a first and second time by its title, and

On motion Mr. Hueston,

The joint resolution was laid on the table.

Mr. Shoemaker, previous notice not having been given and leave being granted, introduced

Senate bill No. 383, entitled

A bill to authorize and empower the board of supervisors of Jackson county and the Jackson county agricultural society to sell the grounds in the city of Jackson, known as the fair grounds, and to purchase other grounds to be used as public grounds and grounds for holding agricultural and other fairs.

The bill was read a first and second time by its title, and referred to the committee on agricultural interests.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 384, entitled

A bill to amend section s 4, 5, and 6, of act 198 of the session laws of 1877, approved May 23, 1877, as amended by act 283 of the session laws of 1881, approved June 11, 1881, entitled "An act to amend sections 5 and 6 of act No. 198 of the session laws of 1877, being an act entitled 'An act to provide for a tax on dogs, and to create a fund for the payment of certain damages for heep killed or wounded by them in certain cases,' " approved May 23, 1877, and to add a new section thereto to stand as section 10.

The bill was read a first and second time by its title and referred to the committee on agricultural interests.

Mr. Hertzler, previous notice having been given and leave being granted, introduced

Senate bill No. 385, entitled

A bill to provide for compensation of county clerks in certain cases.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Henry asked and obtained leave of absence for the committee on State prison for Thursday, February 26.

On motion of Mr. Kempf,

The Senate took a recess until 7:30 o'clock P. M.

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#### EVENING SESSION.

*7:30 o'clock P. M.*

The Senate met and was called to order by the President.

Roll called: a quorum present.

#### MOTIONS AND RESOLUTIONS.

Mr. Kempf moved to reconsider the vote by which the Senate passed

House bill No. 615, entitled

A bill to extend the time for the collection of taxes of 1884 within this State;

Which motion prevailed.

The question being on the passage of the bill,

By unanimous consent, Mr. Kempf moved to amend the bill as follows:

By striking out of section 1 the words "forty days from the 28th day of February, 1885," and inserting in lieu thereof the words "until the 25th day of March, 1885," and adding to the end of the section the words "Provided the provisions of this act shall not apply to the counties of Washtenaw, Hillsdale, Monroe, Genesee, Allegan, Van Buren, Ingham, Clinton, Wayne, Oakland, and Lenawee;"

Which motion prevailed and the bill was so amended.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Hueston,	Mr. Shoemaker,
Belknap,	Greiner,	Kempf,	Smith, G. A.,
Brown,	Heisterman,	Manwaring,	Smith, S. W.,
Carveth,	Henry,	Monroe,	Spencer,
Oline,	Hertzler,	Moon,	Stephenson,
Curtiss,	Hubbell,	Pennell,	Woodruff, 24

## NAYS.

Mr. Carpenter, 1

Title agreed to.

On motion of Mr. G. A. Smith,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Stephenson offered the following resolution:

*Resolved*, That the committee on agricultural interests be and it is hereby instructed to report back to the Senate forthwith Senate bill No. 127, together with the report heretofore submitted by and recommitted to it, and that said bill and report be printed and referred to the committees on library and rules and joint rules jointly, and that said committee on agricultural interests be discharged from the further consideration of said bill;

Which was adopted.

## INTRODUCTION OF BILLS.

Mr. Austin, previous notice having been given and leave being granted, introduced

Senate bill No. 386, entitled

A bill to amend section 35 of chapter 6 of the compiled laws of 1881, being section 171 of Howell's Annotated Statutes relative to the canvass of votes by the inspectors.

The bill was read a first and second time by its title, and referred to the committee on elections.

Mr. G. A. Smith, previous notice not having been given and leave being granted, introduced

Senate bill No. 387, entitled

A bill to amend sections 76 and 77 of chapter 12 of the compiled laws of 1871, being sections 751 and 752 of Howell's Annotated Statutes relative to the duties of township treasurers.

The bill was read a first and second time by its title and referred to the select committee on taxation.

Mr. G. A. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 388, entitled

A bill to repeal chapter 272 of the compiled laws of 1871, and all acts amendatory thereof, being chapter 345 of Howell's Annotated Statutes.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. G. A. Smith, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 35, entitled

A joint resolution proposing an amendment to section 2, article 4, of the constitution of Michigan, relative to the formation of Senatorial districts and the election of Senators.

The joint resolution was read a first and second time by its title and referred to the committee on constitutional amendments.

Mr. Shoemaker, by request, previous notice having been given and leave being granted, introduced

Senate joint resolution No. 36, entitled

Joint resolution to provide for the appointment of a commission to prepare a code practice and procedure in courts of law.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. G. A. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 389, entitled

A bill to provide for giving instruction in the provisions of the criminal code, and the principles of morality.

The bill was read a first and second time by its title, and referred to the committee on education and public schools.

Mr. Monroe, previous notice having been given and leave being granted, introduced

Senate bill No. 390, entitled

A bill to provide for the cleaning out and straightening the channel of Gunn river in the townships of Martin and Gun Plain in Allegan county, and to repeal act No. 99 of the session laws of 1879, entitled "An act to appropriate 4,000 acres of any State land to drain Gun marsh in the townships of Martin and Gun Plain in Allegan county and Orangeville in Barry county," approved May 23, 1879.

The bill was read a first and second time by its title and referred to the committee on public lands.

Mr. S. W. Smith, previous notice having been given and leave being granted, introduced

Senate bill No. 391, entitled

A bill to extend aid to the Michigan State Normal School.

The bill was read a first and second time by its title, and referred to the committees on normal school and appropriations and finance.

Mr. Hertzler, previous notice not having been given and leave being granted, introduced

Senate bill No. 392, entitled

A bill to repeal section 1 of local act No. 188 session laws of 1875 entitled "An act to regulate the catching of fish in certain waters of this State."

The bill was read a first and second time by its title and referred to the committee on fisheries.

Mr. Brown, previous notice having been given and leave being granted, introduced

Senate bill No. 393, entitled

A bill to amend section 20, act 3, of the session laws of 1873, entitled "An act to provide for the payment of the officers and members of the Legislature," approved Jan. 23, 1873.

The bill was read a first and second time by its title and referred to the committees on State affairs, and appropriations and finance jointly.



## REPORTS OF STANDING COMMITTEES.

By the committees on State prison and State house of correction :

The committees on State prison and State house of correction, to whom was referred

Senate bill No. 257, entitled

A bill to revise and consolidate the laws relative to the State Prison and House of Correction and Reformatory at Ionia, and the government and discipline thereof, and to repeal all acts inconsistent therewith,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it be printed for the use of the committee.

S. F. BROWN,

*Chairman Committee on State Prison.*

G. A. SMITH,

*Chairman Committee on State House of Correction.*

Mr. Francis, previous notice not having been given and leave being granted, introduced

Senate bill No. 394, entitled

A bill to amend section 1 of act No. 68 of the session laws of 1883, being an act entitled "An act to provide for the laying out of a State road in the county of Grand Traverse."

The bill was read a first and second time by its title, and

On motion of Mr. Francis,

The bill was laid on the table.

Mr. Francis, previous notice not having been given and leave being granted, introduced

Senate bill No. 395, entitled

A bill making an appropriation of unsold swamp lands in the county of Leelanaw for the improvement of the State road provided for by act No. 69 of the session laws of 1883, entitled "An act to provide for the laying out of a State road in the county of Leelanaw."

The bill was read a first and second time by its title and referred to the committee on public lands.

Mr. Francis, previous notice not having been given and leave being granted, introduced

Senate bill No. 396, entitled

A bill making appropriation of unsold swamp lands in the county of Grand Traverse for improving the State road provided for by act No. 68 of the session laws of 1883, entitled "An act to provide for the laying out of a State road in the county of Grand Traverse."

The bill was read a first and second time by its title, and

On motion of Mr. Francis,

The bill was laid on the table.

Mr. Francis, previous notice not having been given and leave being granted, introduced

Senate bill No. 397, entitled

A bill to amend act No. 68 of the session laws of 1883, entitled "An act to provide for the laying out of a State road in the county of Grand Traverse," and extending time therefor one year.

The bill was read a first and second by its title, and

On motion of Mr. Francis,

The bill was laid on the table.

Mr. Francis, previous notice not having been given and leave being granted, introduced

Senate bill No. 398, entitled

A bill to extend the time for the laying out of a State road in the county of Leelanaw, under act No. 69 of the session laws of 1883.

The bill was read a first and second time by its title, and

On motion of Mr. Francis,

The bill was laid on the table.

Mr. S. W. Smith, previous notice not having been given and leave being granted, introduced

Senate bill No. 399, entitled

A bill to amend section 7 of chapter 181 of the compiled laws of 1871, being compiler's section 5666, by adding a new paragraph thereto to stand as paragraph 7 relative to the general provision concerning courts and the powers and duties of certain judicial officers.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Henry, previous notice not having been given and leave being granted, introduced

Senate bill No. 400, entitled

A bill making an appropriation for the benefit of the State Public School at Coldwater.

The bill was read a first and second time by its title, and

On motion of Mr. Henry,

The bill was laid on the table.

Mr. Henry, previous notice having been given and leave being granted, introduced

Senate bill No. 401, entitled

A bill to regulate appeals from verdicts rendered in justices' courts in criminal cases.

The bill was read a first and second time by its title, and referred to the committee on judiciary.

Mr. Edwards, previous notice having been given and leave being granted, introduced

Senate bill No. 402, entitled

A bill to amend section 12 of act No. 9 of the public acts of 1882, entitled "An act to provide for the assessment of property and the levy and collection of taxes thereon," approved March 14, 1882, so as to require sworn statements of the taxable property owned by such person, to be made to the supervisor as the basis for assessment.

The bill was read a first and second time by its title, and

On motion of Mr. Edwards,

The bill was laid on the table.

On motion of Mr. Sheemaker,

The Senate took a recess until 11 o'clock.

## AFTER RECESS.

*11 o'clock.*

The Senate met and was called to order by the President.

Roll called: a quorum present.

## INTRODUCTION OF BILLS.

Mr. Francis, previous notice not having been given and leave being granted, introduced

Senate bill 403, entitled

A bill to provide for the laying out, opening, and establishing of a State road in the county of Benzie, and making an appropriation of unsold swamp lands therefor, and for the improvement of certain highways in connection therewith.

The bill was read a first and second time by its title, and

On motion of Mr. Henry,

The bill was laid on the table.

Mr. Francis, previous notice having been given and leave being granted, introduced

Senate bill 404, entitled

A bill for the rebuilding, repair, and preservation of the bridges across the Au Sable river within the boundaries of the county of Oscoda, and providing for the election of a county bridge commissioner.

The bill was read a first and second time by its title and referred to the committee on roads and bridges.

Mr. Manwaring, previous notice having been given and leave being granted, introduced

Senate bill No. 405, entitled

A bill to amend section 21, of an act entitled an act to authorize the formation of companies for the running, booming, and rafting logs, being compiler's sections 2778, and 2788 of chapter 88 of compiled laws 1871, as amended by act No. 22 of session laws of 1873, as amended by act No. 35 of session laws of 1875, as amended by act No. 200 of session laws of 1881, as amended by act No. 80 of session laws of 1883.

The bill was read a first and second time by its title, and

On motion of Mr. Manwaring,

The bill was laid on the table.

Mr. Davis, previous notice having been given and leave being granted, introduced

House bill No. 406, entitled

A bill to provide for the inspection of private bankers, and requiring them to make quarterly reports to the State Treasurer of their financial standing;

The bill was read a first and second time by its title, and referred to the committee on banks and corporations.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 407, entitled

A bill to amend section 6719 of the compiled laws of 1871, being section 8308 of Howell's Annotated Statutes, relative to summary proceedings to recover possession of lands.

The bill was read a first and second time by its title and referred to the committee on the judiciary.

Mr. Stephenson, previous notice having been given and leave being granted, introduced

Senate bill No. 408, entitled

A bill to vacate a State road in or near the city of Escanaba.

The bill was read a first and second time by its title and referred to the committee on roads and bridges.

Mr. Stephenson, previous notice not having been given and leave being granted, introduced

Senate bill No. 409, entitled

A bill to amend section 1 of chapter 70 of an act entitled destruction of wolves and other noxious animals.

The bill was read a first and second time by its title, and

On motion of Mr. Stephenson,

The bill was laid on the table.

Mr. Shoemaker, previous notice having been given and leave being granted, introduced

Senate bill No. 410, entitled

A bill making appropriation for the State Prison at Jackson for the years 1885 and 1886.

The bill was read a first and second time by its title, and referred to the committee on State prison and appropriations and finance.

On motion of Mr. Belknap,

The Senate took a recess until 11:50 o'clock.

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#### AFTER RECESS.

*11:50 o'clock.*

The Senate was called to order by the President.

Roll called; quorum present.

Mr. Edwards, previous notice having been given and leave being granted, introduced

Senate bill No. 411, entitled

A bill to amend sections 52 to 61 inclusive of act No. 9 of the public acts of 1882, relative to the sale of land for delinquent taxes.

The bill was read a first and second time by its title, and

On motion of Mr. Edwards,

The bill was laid on the table.

Mr. Carveth, previous notice having been given and leave being granted, introduced

Senate bill No. 412, entitled

A bill to provide for the preparation and publication of an index to the general laws.

The bill was read a first and second time by its title, and

On motion of Mr. Carveth,

The bill was laid on the table.

On motion of Mr. Manwaring,

The Senate adjourned.

*Lansing, Thursday, February 26, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.

Prayer by the Rev. Mr. Franklin.

Roll called: a quorum present.

Absent without leave: Senators Cline and Hawley.

Mr. Belknap asked and obtained leave of absence for Mr. Cline for the day.

Mr. Sherwood asked and obtained leave of absence for Mr. Hawley for the day.

#### QUESTION OF PRIVILEGE.

Mr. Moon rose to a question of privilege and called attention to the following error in the Senate Journal of the 24th inst:

Upon that day he is worded as having introduced the following bill:

Senate bill No. 313, entitled

A bill to change the name of Maurice Benham to Henry Maurice Burwell.

Whereas the correct title of the bill so introduced is

A bill to change the name of Maurice Benham to Henry Maurice Buswell.

He asked to have the Journal corrected accordingly.

The President announced that the correction would be entered on the Journal of to-day.

#### PETITIONS.

No. 152. By Mr. Stephenson: Petition of F. A. Mitchell, P. A. Van Bergen, Joseph H. Sommerville, and 55 other citizens of Menominee for the establishment of a State prison in the Upper peninsula.

No. 153. By Mr. Stephenson: Petition of Arch Brand, E. Chamberlain, and 33 others for the same object.

No. 154. By Mr. Stephenson: Petitioners named in No. 152 asking for the establishment of a school of technology in the Upper Peninsula.

No. 155. By Mr. Stephenson: Petitioners named in No. 153 for the same object.

The four petitions were referred to the committee.

No. 156. By Mr. Monroe: Petition of B. J. Robertson relative to pharmacy.

No. 157. By the same: Petition of O. E. Walfinger for the same object.

No. 158. By the same: Petition of R. L. Taylor and 14 others for the same object.

No. 159. By the same: Petition of G. B. Nichols for the same object.

No. 160. By the same: Petition of S. Trowbridge & Co. for the same object.

No. 161. By Mr. Belknap: Petition of S. E. Morgan and A. E. Alden for the same object.

No. 162. By the same: Petition of F. Gundrum and 17 others for the same object.

No. 163. By the same: Petition of William E. Sheffield and 16 others for the same object.

No. 164. By the same: Petition of Louis A. Roller and 6 others for the same object.

The nine last named petitions were referred to the committee on public health.

#### REPORT OF STANDING COMMITTEES.

By the committee on education and public schools.

The committee on education and public schools, to whom was referred

Senate bill No. 256, entitled

A bill to incorporate the public schools of Albion,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

#### MESSAGE FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICE,  
*Lansing, February 25, 1885.* }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State,

Joint resolution to provide for the exhibition of the horticultural and pomological productions of this State, at the exhibition of the American Pomological Society, to be held at Grand Rapids, Michigan, September, 1885.

RUSSELL A. ALGER,  
*Governor.*

The message was laid on the table.

#### THIRD READING OF BILLS:

Senate bill No. 95 (File No. 45), entitled

A bill to amend section 3 of act No. 97 of the general laws of 1861, entitled "An act to provide for the incorporation of associations for the publication of periodicals, newspapers, books, tracts, documents, and other publications," approved March 7, 1861, as amended by act No. 317 of the general laws of 1865, being section 3180 of the compiled laws of 1871, being section 4198 of Howell's Annotated Statutes,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Edwards,	Kempf,	Shoemaker,
Carpenter,	Francis,	Manwaring,	Smith, S. W.,
Carveth,	Greiner,	Monroe,	Spencer,
Curtiss,	Heisterman,	Moon,	Stephenson,
Davenport,	Hertzler,	Phelps,	Woodruff, 24

#### NAYS.

0

Title agreed to.

On motion of Mr. Austin,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 96 (File No. 44), entitled

A bill to amend section 2 of act No. 143 of the general laws of 1867, entitled, "An act to provide for the formation of corporations for establishing health institutions," approved March 13, 1867, being section 3026 of the compiled laws of 1871, being section 4801 of Howell's Annotated Statutes,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Sherwood,
Brown,	Edwards,	Kempf,	Shoemaker,
Carpenter,	Francis,	Manwaring,	Smith, S. W.,
Carveth,	Greiner,	Monroe,	Spencer,
Curtiss,	Heisterman,	Moon,	Stephenson,
Davenport,	Hertzler,	Phelps,	Woodruff, 24

## NAYS.

0

Title agreed to.

On motion of Mr. Austin,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 50 (File No. 26), entitled

A bill to authorize the board of health of the township of Vassar, Tuscola county, State of Michigan, to remove and re-inter all the dead bodies and remains buried in the cemetery located on the west half of the northeast quarter section 12, township No. 11 north, of range 7 east, in the village of Vassar, Tuscola county, to the Riverside cemetery, located on the south half of the northwest quarter of section 13, township number 11 north, of range 7 east, township of Tuscola, Tuscola county, Michigan.

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Edwards,	Kempf,	Shoemaker,
Carpenter,	Francis,	Manwaring,	Smith, S. W.,
Carveth,	Greiner,	Monroe,	Spencer,
Curtiss,	Heisterman,	Moon,	Stephenson,
Davenport,	Hertzler,	Phelps,	Woodruff, 24

## NAYS.

0

Title agreed to.

On motion of Mr. Davis,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 89 (File No. 49), entitled

A bill to amend section 44 of chapter 46, of the compiled laws of 1871, being compiler's section 1735, and being also section 1676 of Howell's Annotated Statutes, relative to public health,

Was read a third time, and pending the taking of the vote thereon,

Mr. Shoemaker moved to recommit the bill to the committee on public health, with instructions to strike out the words "or any other diseases dan-

gerous to public health," and insert in lieu thereof the names of such diseases as are contagious in such a degree as to make extraordinary precautions necessary;

Which motion prevailed, and the bill was so recommitted.

#### GENERAL ORDER.

On motion of Mr. Hertzler,

The Senate went into committee of the whole on the general order,  
Mr. Phelps in the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following:

1. Senate bill No. 36 (File No. 36), entitled

A bill for the relief of purchasers and settlers on swamp land;

2. House joint resolution No. 4 (file No. 3), entitled

Joint resolution requesting the Congress of the United States to make an appropriation to aid in the construction of a soldiers' home to be located in the State of Michigan;

3. Senate bill No. 73 (File No. 30), entitled

A bill to amend section 14 of chapter 2, of act No. 164 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being section 5046 of Howell's Annotated Statutes of Michigan;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

The committee of the whole have also had under consideration the following

4. Senate bill No. 118 (File No. 53), entitled

A bill to incorporate the village of Boyne City.

5. House bill No. 154 (File No. 53), entitled

A bill to amend an act entitled "An act to protect fish and preserve the fisheries of this State, and being act No. 350 of the session laws of 1865, approved March 21, 1865, and all the acts amendatory thereto, and being found as amended in chapter 63, compiler's section 2195, Howell's Annotated Statutes of Michigan;

6. Senate bill No. 68 (File No. 31), entitled

A bill to amend section 19, of chapter 3, of act No. 164, of the session laws of 1881, being section 5071, of Howell's Annotated Statutes, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," approved May 21, 1881, relative to tuition of non-resident pupils;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following:

7. Senate bill No. 115, (File No. 50), entitled

A bill to prevent the sale of tobacco to minors.



Have stricken out all after the enacting clause thereof, and ask the concurrence of the Senate in their action.

FITCH PHELPS, *Chairman.*

Report accepted.

On motion of Mr. Manwaring,

The first named bills and joint resolution were placed on the order of third reading of bills.

On motion of Mr. Phelps,

The Senate concurred in the amendments made by the committee to the second named bills, and the same were placed on the order of third reading of bills.

Mr. Phelps moved that the Senate concur in the recommendation of the committee regarding the last named bill, in striking out all after the enacting clause.

Mr. Manwaring called for the yeas and nays.

The question to concur in the action of the committee of the whole in striking out all after the enacting clause then prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Belknap,	Mr. Greiner,	Mr. Kempf,	Mr. Smith, G. A.,	
Carveth,	Heisterman,	Moon,	Spencer,	
Curtiss,	Hubbell,	Pulver,	Stephenson,	
Davis,	Hueston,	Sherwood,		15

#### NAYS.

Mr. Austin,	Mr. Edwards,	Mr. Manwaring,	Mr. Phelps,	
Carpenter,	Francis,	Monroe,	Smith, S. W.,	
Davenport,				9

On motion of Mr. Phelps,

The title and enacting clause were laid on the table.

On motion of Mr. Manwaring,

The Senate adjourned.

*Lansing, Friday, February 27, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.  
Prayer by Rev. Mr. Wilson.

Roll called: a quorum present.

Mr. Sherwood asked and obtained leave of indefinite absence for Mr. Hertzler on account of sickness in his family.

#### PETITIONS.

No. 165. By Mr. Manwaring: Petition to the members of the Senate and House of Representatives of the State of Michigan of Chas. Saunders, Daniel Wadsworth, Eugene W. Gorton, and 77 others, citizens of Lapeer county,

asking for the passage of House bill No. 10, to abolish the contract labor system at the State Prison and House of Correction at Ionia;

Also House bill No. 66, to repeal the conspiracy laws;

Also House bill No. 130, to protect the rights of laborers;

Also House bill No. 83, to prohibit the residents of other States from acting as deputy sheriffs, to wit: Pinkerton's detectives.

On motion of Mr. Manwaring,

The petition was ordered printed in the Journal, and referred to the committee on labor.

The following is the petition:

*To the Members of the Senate and House of Representatives of the State of Michigan:*

We, the undersigned citizens of Lapeer, most respectfully and most urgently request you to vote for and use all your influence to secure the passage of certain bills now pending in the Legislature, which deeply affect our interests, and which we earnestly desire to have enacted into laws, among which we particularly specify:

House bill No. 10. To abolish the contract system at the Ionia House of Correction and Reformatory.

House bill No. 11. To abolish the contract system in the State Prison.

House bill No. 66. To repeal the conspiracy law.

House bill No. 130. To protect the rights of laborers.

House bill No. 83. To prohibit residents from other States from acting as deputy sheriffs (Pinkerton's detectives).

House bill No. 144. To provide for the marking of all goods made in the prisons of the State.

Also such other bills as will advance the interests and diminish the burdens of the laboring people.

We hope you will give this subject your careful consideration. Corporate capital in all its myriad forms sends its paid agents to Lansing to work to advance its interests in all directions. The people expect you as their Representatives to exert your utmost power to protect their just rights and advance their welfare.

No. 166. By Mr. Davenport: Petition of F. B. Florentine and 18 others, relative to pharmacy.

No. 167. By Mr. Hueston: Petition of John T. Holmes, Frank L. Gale, and 60 others, for the same object.

The two petitions were referred to the committee on public health.

No. 168. By Mr. Hawley: Petition of Wm. Wreford, Thomas Barlum, and 21 others, in favor of the bills to prevent the spread of contagious diseases among cattle and glanders among horses.

On motion of Mr. Hawley,

The petition was ordered printed in the Journal, and referred to the committee on agricultural interests.

The following is the petition:

*To the Honorable the Senate of the State of Michigan:*

WHEREAS, Two bills have been introduced in the Senate, one of which provides for preventing the spread of contagious diseases among animals, and also for the regulation of the trade in Texas and other southern cattle, so that that trade may be carried on without injury to the citizens of the State, and as your petitioners are convinced that it is of great importance to attain both of those

objects, they ask the honorable Senate in their own interest, and in that of the citizens of Michigan in general, to pass the bill for preventing the spread of disease among cattle, so that the great cattle interests of Michigan may be protected by law; they also request that the bill which specially deals with preventing the spread of glanders among horses and other animals may be passed by your honorable body, so that the citizens of the State may be protected from injury by the spread of that fatal and dangerous disease.

No. 169. By Mr. Hawley: Memorial regarding the employment of convict labor in the production of beet sugar, and other articles not conflicting with (outside) honest labor.

On motion of Mr. Hawley,

The memorial was ordered printed in the Journal, and referred to the committee on labor.

The following is the memorial:

*To the Honorable the Senate and House of Representatives of the State of Michigan:*

Your undersigned memorialists respectfully represent:

That they are aware of the immense difficulties attending the proper solution of the convict labor question, and convinced that it should be solved with due regard to all interests concerned, they believe that the welfare of the commonwealth demands that convicts should be employed at labor, both remunerative to the State and useful to themselves. The contract system heretofore employed, has, in the opinion of your memorialists, worked injuriously, in so far as it has created unfair and undue competition against outside free labor. Furthermore, your memorialists believe that it is right and proper for the State to propagate and encourage new industries and new fields of labor and production; that is, to assist and materially aid the production of articles and products, for the production of which, in this State, or the United States, circumstances have thus far been adverse and unfavorable. Your memorialists believe that the production of such articles and products by means of convict labor would be beneficial to the commonwealth and the nation, and materially aid the development of the natural resources of this State and country. Your memorialists refer in particular to the production of beet sugar. The United States import one hundred million dollars worth of sugar and molasses annually, from countries where slavery still exists; while Germany, Austria, and France produce all their own sugar from beets, besides a surplus for export. Several States of this Union have endeavored to foster and establish the production of beet sugar by subsidies. These efforts have so far failed of material success; not on account of condition of the soil, but on account of the impracticability of concentrating the large amount of labor required in the cultivation of a sufficient quantity of beets to supply a centrally located factory. Success depended upon the ability of central factories to contract with the surrounding farmers for delivery of beets, and this the farmers found impracticable to do, on account of the insufficiency of labor at the proper time. In Germany, France, and Austria, where the beet sugar industry flourishes and pays better than wheat, central factories contract for supplies of beets from the surrounding country. They prescribe the kind and quantity of manure to be used, and the mode of cultivation, and the dense population of towns and villages furnish the farmers abundant help.

Your memorialists are of opinion that private enterprise would establish the factories if the State would employ its convict labor in the cultivation of sugar

beets. Your memorialists feel convinced that the convict labor of this State (and of most of the States of this Union) could be properly and advantageously employed in the production of sugar beets by establishing camps in suitable localities. By these means a large proportion of the sugar now imported could be produced at home. Your memorialists furthermore mention, among other articles and products which the natural resources of the State enable to be produced but which are now almost exclusively made abroad: Tin plates, of which \$30,000,000 per annum are imported, and which could be manufactured by convict labor in connection with our iron industry. Also heavy chemicals, such as soda-ash, caustic soda, bleaching powder—of which \$15,000,000 per annum are imported, which could be produced here by convict labor in connection with our salt industry. The production of raw silk would also be practicable to some extent, but would be more suited for more southern States.

In conclusion, your memorialists are of the general opinion that convict labor can and should be properly and usefully employed in the production of articles and products not now or insufficiently produced in the United States, whereby said convict labor would not conflict nor create undue competition with outside free and honest labor. And your memorialists believe that efforts and sacrifices made in this direction would be good policy, and conducive to public interest and welfare.

All of which your memorialists submit.

Detroit, Mich., Feb., 1885.

No. 170. By Mr. Shoemaker: Petition of the officers of the Jackson County Agricultural Society for the passage of a law authorizing the sale of the "Fair Grounds" at Jackson, and the purchase of other grounds;

Referred to the committee on agricultural interests.

No. 171. By Mr. Hubbell: Memorial of J. Schauher of Negaunee, asking for the passage of Senate bill No. 82, to promote pharmacy.

No. 172. By the same: Memorial of N. J. Gill of Beacon, for the same object.

The two petitions were referred to the committee on public health.

No. 173. By Mr. Carveth: Petition of J. F. Black, Asa Dillenbeck, and 67 others, for the lowering and draining of Thornapple Lake, and giving the reasons therefor,

Referred to the committee on public lands.

No. 174. By Mr. Sherwood: Remonstrance of R. D. Parker, and 9 others, against the division of the township of Sodus, Berrien county;

Referred to the committee on counties and townships.

#### REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

Senate bill No. 408, entitled

A bill to vacate a State road in or near the city of Escanaba,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass. and ask to be discharged from the further consideration of the subject.

MICHAEL GREINER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred  
Senate bill No. 56, entitled

A bill to amend section fourteen, of chapter two, of an act entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement, and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within this State," approved June 8, 1881, being section thirteen hundred and thirty-eight of Howell's Statutes,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

MICHAEL GREINER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred  
Senate bill No. 214, entitled

A bill to provide for the construction of a bridge across Black river, on the county line between the townships of Grant, in St. Clair county, and Worth, in Sanilac county,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

MICHAEL GREINER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred  
Senate bill No. 404, entitled

A bill for the rebuilding, repair and preservation of the bridges across the Au Sable river within the boundaries of the county of Oscoda, and providing for the election of a "county bridge commissioner,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it be printed, referred to the committee of the whole, and placed on the general order, and ask to be discharged from the further consideration of the subject.

MICHAEL GREINER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges to whom was referred  
Senate bill No. 198, entitled

A bill to amend sections 2, 3, 4, 9, and 14, of chapter 2, and to add a new section to said chapter to stand as section 15; and to amend sections 4 and 6 of chapter 4, and to amend section 4 of chapter 11 of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws

relating to the establishment, opening, improvement and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within this State," approved June 8, 1881,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it be printed and referred to the committee of the whole and placed on the general order, and ask to be discharged from the further consideration of the subject.

MICHAEL GREINER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committees on roads and bridges:

The committees on roads and bridges to whom was referred

House bill No. 121 (File No. 54) entitled

A bill providing for an exemption from poll-tax of discharged soldiers, sailors, and marines, resident in the State of Michigan,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it be referred to the committee of the whole and placed on the general order, and ask to be discharged from the further consideration of the subject.

MICHAEL GREINER, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

Senate bill No. 121, entitled

A bill to prohibit the levying of highway and drain taxes on the islands in Saginaw Bay,

Respectfully report that they have the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

MICHAEL GREINER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committees on State affairs and appropriations and finance:

The committees on State affairs and appropriations and finance to whom was jointly referred

House manuscript bill No. 126, entitled

A bill to provide for the payment of the expenses of the Michigan exhibit at the New Orleans exposition,

Respectfully report that they have had the same under consideration and a majority thereof have directed us to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. A. SMITH,

*Chairman of Committee on Appropriations and Finance.*

FITCH PHELPS,

*Chairman of Committee on State Affairs.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State house of correction and reformatory:

The committee on State house of correction and reformatory, to whom was referred

House bill No. 11 (File No. 15), entitled

A bill to repeal section 45 and to amend sections 46 and 47 of act No. 176 of the session laws of 1877, entitled "An act to regulate and govern the State House of Correction and Reformatory at Ionia,"

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without recommendation, except that it be placed on the general order, and ask to be discharged from the further consideration of the subject.

GEO. A. SMITH, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State house of correction and reformatory:

The committee on State house of correction and reformatory, to whom was referred

Senate bill No. 315, entitled

A bill to amend act 190 of the session laws of 1883, entitled, "An act to provide for the location, erection, organization, and management of an asylum for insane criminals,"

Respectfully report that they have had the same under consideration, and directed me to report the same back to the Senate, without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

G. A. SMITH, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. G. A. Smith,

The bill was laid on the table.

By the committee on constitutional amendments:

The committee on constitutional amendments, to whom was referred

Senate joint resolution No. 17, entitled

Joint resolution proposing an amendment to section forty-six of article four of the constitution of this State, relative to trial by jury,

Respectfully report that they have had the same under consideration, and, Senator Hawley dissenting, have directed us to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

SAMUEL W. SMITH, *Chairman*.

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on constitutional amendments:

The committee on constitutional amendments, to whom was referred

Senate joint resolution No. 20, entitled

Joint resolution proposing an amendment to section 10 of article 10 of the constitution relative to the board of auditors of Wayne county,

Respectfully report that they have had the same under consideration

and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

SAMUEL W. SMITH, *Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on constitutional amendments:

The committee on constitutional amendments, to whom was referred

Senate joint resolution No. 16, entitled

A joint resolution proposing amendments to sections 3, 6, 7, 8, 9, 10, and 11 of article 10 of the constitution of this State, so as to provide for a board of county commissioners in each of the counties of this State, instead of a board of supervisors or county auditors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment and without recommendation, and ask to be discharged from the further consideration of the subject.

SAMUEL W. SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Woodruff,

The joint resolution was laid on the table. .

By the committee on constitutional amendments:

The committee on constitutional amendments, to whom was referred

Senate joint resolution No. 21, entitled

Joint resolution proposing an amendment to section 28 of the schedule of the constitution of this State, relative to the Governor's appointments,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

SAMUEL W. SMITH, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committees on constitutional amendments and liquor traffic:

The committees on constitutional amendments and liquor traffic jointly, to whom was referred

House joint resolution No. 1 (File No. 9), entitled

Joint resolution proposing an amendment to article 4 of the constitution of this State, relative to the liquor traffic,

Respectfully report that they have had the same under consideration, and (Senator Hawley of both committees dissenting) have directed us to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

SAMUEL W. SMITH,

*Chairman Committee on Constitutional Amendments.*

EDWARD E. EDWARDS,

*Chairman Committee on Liquor Traffic.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole and placed on the general order.



By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 249 (File No. 86), entitled

A bill to authorize the board of supervisors of the county of St. Joseph to dispose of the proceeds of the sale of their poor farm,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 216, entitled

A bill to amend sections 1 and 2 of an act entitled "An act to amend an act entitled 'An act to require supervisors, directors, and overseers to make certain annual reports to the county superintendents of the poor,' approved April 23, 1875, and to add one new section thereto," approved May 27, 1879, being sections 1810 and 1811 of Howell's Annotated Statutes of 1882,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 215, entitled

A bill to amend sections 8, 10, and 11 of an act entitled "An act to revise and consolidate the several acts relative to the support and maintenance of poor persons," approved April 5, 1869, being sections 1762, 1764, and 1765 of Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and without recommendation, except that it be printed and placed on the general order, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 218, entitled

A bill to provide for an appropriation for the preparation, publication, and distribution of the proceedings of the annual meetings of the Michigan Superintendents of the Poor for the years 1885 and 1886,

Respectfully report that they have had the same under consideration, and

have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Phelps,

The bill was referred to the committee on appropriations and finance.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 217, entitled

A bill to provide a uniform system of records and accounts for use of superintendents, overseers, and directors of the poor and keepers of poor-houses,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the whole, and placed on the general order.

By the committee on public health:

The committee on public health, to whom was recommitted

Senate bill No. 89 (File No. 49), entitled

A bill to amend section 44 of chapter 46 of the compiled laws of 1871, being compiler's section 1735, and being also section 1676 of Howell's Annotated Statutes relative to public health,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments made in accordance with the following instructions, to wit: to strike out the words "or any other diseases dangerous to public health," and insert in lieu thereof the names of such diseases as are contagious in such a degree as to make extraordinary precautions necessary, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES HUESTON, *Chairman.*

Report accepted and committees discharged.

On motion of Mr. Hueston,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

Senate bill No. 11, entitled

A bill to incorporate the village of Manistique,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

Report accepted and committee discharged.

On motion of Mr. Carveth,

The bill was laid on the table.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

Senate bill No. 33, entitled

A bill to amend section 8 of chapter 6, of an act entitled "An act granting and defining the powers and duties of incorporated villages,"

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Davenport,

The bill was laid on the table.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

Senate bill No. 276, entitled

A bill to annex certain territory to the incorporate limits of the village of Vassar,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, and ask to have it printed and re-committed to the committee.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, and re-referred to the committee.

By the committee on cities and villages:

The committee on cities and villages to whom was referred

Senate bill No. 212, entitled

A bill to incorporate the village of Iron River in the county of Marquette,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

Senate bill No. 325, entitled

A bill to amend the charter of the city of Menominee, being amendatory of an act entitled "An act to incorporate the city of Menominee," approved March 16, 1883,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the Senate, with amendments, and ask leave to have the same printed and re-committed to the committee.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, and re-referred to the committee.

By the committee on agricultural interests:

The committee on agricultural interests to whom was referred

House bill No. 420,

To authorize the Ingham County Agricultural Society to borrow money by way of mortgage on its real estate for the purpose of paying its indebtedness,

Respectfully report that they have had the same under consideration and have directed us to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

MANSON CARPENTER, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on agricultural interests:

The committee on agricultural interests, to whom was referred

Senate bill No. 91, entitled

A bill to amend sections 1 and 2 of chapter 10 of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement, and maintenance of highways and private roads, and the building, repairing, and preservation of bridges in this State," being sections 1408 and 1409 of the General Statutes of the State of Michigan as compiled and annotated by Andrew Howell,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

MANSON CARPENTER, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on supplies and miscellaneous expenses of the Senate:

The committee on supplies and miscellaneous expenses of the Senate, report the following bill:

To U. H. Forester, \$3.00.

For material furnished under direction of the Sergeant-at-arms of the Senate, which they have had under consideration, and directed me to report the same to the Senate, and recommend its allowance, and ask to be discharged from the further consideration of the subject.

M. CARPENTER, *Acting Chairman*.

On motion of Mr. Carpenter,

The bill was allowed.

By the committee on the school for the blind:

The committee on the school for the blind, in compliance with a resolution of the Senate of January 30, asking "That each one of the several committees on State institutions be and they are hereby instructed to report to the Senate at as early a day as practicable the average daily attendance of the inmates of the institution, and the average daily cost to the State for each inmate of the following items: Fuel, books, furniture, food, amusements, bedding, salaries,

light, medicine, and clothing; and the total daily average cost of maintenance,"

Would respectfully submit the following statement showing the average attendance and cost of maintenance at the Michigan School for the Blind, for the biennial period ending September 30, 1884:

Average daily attendance of pupils.....	65
Average daily cost for—	
Fuel .....	\$0.146
Books .....	.011
Furniture .....	.037
Food .....	.248
Bedding .....	.013
Salaries and wages .....	.476
Light .....	.015
Medicine and medical attendance.....	.007
Total .....	<u>\$0.953</u>
Total daily cost of maintenance.....	.994

The item of fuel includes coal bills for three years, which were paid in the biennial period ending September 30, 1884.

J. W. BELKNAP, *Chairman.*

Report accepted.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 26, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

1. House bill No. 99 (File No. 82) entitled,

A bill to amend section 3 of chapter 177 of the General Statutes of the State of Michigan compiled and annotated by Andrew Howell, being compiler's section 4719, relative to the organization of Young Men's Christian Associations;

2. House bill No. No. 176 (File No. 87) entitled

A bill to amend sections 9836 and 9838 of Howell's Annotated Statutes, being sections 10 and 12 of act No. 201 of the session laws of 1881, relative to the State Industrial School for Girls, as to who may be received into, or sent to said school;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on religious and benevolent societies.

The second named bill was read a first and second time by its title and referred to the committee on Industrial School for Girls.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Feb. 27, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 233, entitled

A bill to incorporate the village of Elsie, Clinton county;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and

On motion of Mr. Pennell,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was read a third time and pending the taking of the vote thereon,

Mr. Francis moved that the bill be referred to the committee on cities and villages with instructions that they report a substitute for the bill incorporating the village under the general law;

Which motion prevailed.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, February 27, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bills:

1. House bill No. 259, entitled

A bill to authorize the city of Cadillac, in the county of Wexford, to borrow money to make public improvements in said city;

2. House bill No. 204, entitled

A bill to authorize the village of Evert, in the county of Osceola, to raise money to make public improvements in said village;

As requested by the Senate.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

Mr. Phelps moved that rule 46, declaring that no question shall be reconsidered after two days, be suspended;

Which motion prevailed, two-thirds of all the members present voting therefor.

Mr. Phelps moved to reconsider the vote by which the Senate passed the bill.

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Phelps,

The bill was amended by striking out in section 1 the word "taxpaying" and inserting in lieu thereof the word "qualified."

Which motion prevailed.

Mr. Hawley moved to amend by adding to the end of section 1 the following: "Said public improvements to be the erection of a city hall, and the providing of public water-works and other municipal improvements;

Which motion did not prevail.

The bill having been read a third time, and the question being upon its passage,

It was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Edwards,	Monroe,	Shoemaker,
Brown,	Francis,	Moon,	Smith, S. W.
Carpenter,	Greiner,	Pennell,	Spencer,
Carveth,	Heisterman,	Phelps,	Stephenson,
Curtiss,	Henry,	Pulver,	Woodruff,
Davenport,			

25

## NAYS.

Mr. Cline,	Mr. Manwaring,	Mr. Smith, G. A.,	3
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Title agreed to.

On motion of Mr. Phelps,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Phelps moved that rule 46, declaring that no question shall be reconsidered after two days, be suspended;

Which motion prevailed.

Mr. Phelps moved to reconsider the vote by which the Senate passed the bill;

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Phelps,

The bill was amended by striking out in section 1 the word "tax-paying" and inserting in lieu thereof the word "qualified."

The bill having been read a third time, and the question being upon its passage,

The same was passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Edwards,	Manwaring,	Shoemaker,
Brown,	Francis,	Monroe,	Smith, S. W.,
Carpenter,	Greiner,	Moon,	Spencer,
Carveth,	Hawley,	Pennell,	Stephenson,
Curtiss,	Heisterman,	Phelps,	Woodruff,
Davenport,	Henry,	Pulver,	

27

## NAYS.

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Title agreed to.

On motion of Mr. Phelps,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 27, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 50 (File No. 26), entitled

A bill to authorize the board of health of the township of Vassar, Tuscola county, State of Michigan, to remove and re-inter all the dead bodies and

remains buried in the cemetery located on the west half of the northeast quarter section 12, township No. 11 north, of range 7 east, in the village of Vassar, Tuscola county, to the Riverside cemetery, located on the south half of the northwest quarter of section 13, township No. 11 north, of range 7 east, township of Tuscola, Tuscola county, Michigan;

In the passage of which, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives,*

The bill was referred to the committee on engrossment and enrollment for enrollment.

#### MOTIONS AND RESOLUTIONS.

Mr. Hubbell moved that the committees on State library and joint rules jointly be instructed to report Senate bill No. 127 back to the Senate with the recommendation that it be printed and placed on the general order;

Which motion prevailed.

Mr. Edwards moved that

House joint resolution No. 1 (File No. 9), entitled

Joint resolution proposing an amendment to article 4 of the constitution of this State, relative to the liquor traffic,

Be taken from the general order and made the special order for 4:30 P. M. to-day;

Which motion prevailed.

Mr. Francis offered the following resolution:

*Resolved*, That a respectful message be sent to the House requesting the return of

House bill No. 222, entitled

A bill to authorize the village of Harbor Springs to raise money to aid in the construction of a court-house for the county of Emmet;

Which was adopted.

Mr. Monroe offered the following resolution:

*Resolved by the Senate*, That the State printers be requested to print 200 extra copies of Senate bill No. 375, file No. 71, amending the general banking law;

Which was adopted.

The President *pro tem.* took the chair.

#### THIRD READING OF BILLS.

Senate bill No. 62 (File No. 47), entitled

A bill to provide for the finding and return of verdicts by a less number than six jurors in trials of cases in justice courts in this State;

Was read a third time and not passed, a majority of all the Senators lect not voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Brown,  
Carpenter,  
Curtis,  
Davenport,

Mr. Davis,  
Edwards,  
Greiner,

Mr. Heisterman,  
Henry,  
Kempf,

Mr. Manwaring,  
Pennell,  
Shoemaker,



## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Edwards,	Monroe,	Shoemaker,
Brown,	Francis,	Moon,	Smith, S. W.
Carpenter,	Greiner,	Pennell,	Spencer,
Carveth,	Heisterman,	Phelps,	Stephenson,
Curtiss,	Henry,	Pulver,	Woodruff,
Davenport,			

25

## NAYS.

Mr. Oline,	Mr. Manwaring,	Mr. Smith, G. A.,	3
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Title agreed to.

On motion of Mr. Phelps,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Phelps moved that rule 46, declaring that no question shall be reconsidered after two days, be suspended;

Which motion prevailed.

Mr. Phelps moved to reconsider the vote by which the Senate passed the bill;

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Phelps,

The bill was amended by striking out in section 1 the word "tax-paying" and inserting in lieu thereof the word "qualified."

The bill having been read a third time, and the question being upon its passage,

The same was passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Edwards,	Manwaring,	Shoemaker,
Brown,	Francis,	Monroe,	Smith, S. W.,
Carpenter,	Greiner,	Moon,	Spencer,
Carveth,	Hawley,	Pennell,	Stephenson,
Curtiss,	Heisterman,	Phelps,	Woodruff,
Davenport,	Henry,	Pulver,	

27

## NAYS.

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Title agreed to.

On motion of Mr. Phelps,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 27, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 50 (File No. 26), entitled

A bill to authorize the board of health of the township of Vassar, Tuscola county, State of Michigan, to remove and re-inter all the dead bodies and

remains buried in the cemetery located on the west half of the northeast quarter section 12, township No. 11 north, of range 7 east, in the village of Vassar, Tuscola county, to the Riverside cemetery, located on the south half of the northwest quarter of section 13, township No. 11 north, of range 7 east, township of Tuscola, Tuscola county, Michigan ;

In the passage of which, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives,*

The bill was referred to the committee on engrossment and enrollment for enrollment.

#### MOTIONS AND RESOLUTIONS.

Mr. Hubbell moved that the committees on State library and joint rules jointly be instructed to report Senate bill No. 127 back to the Senate with the recommendation that it be printed and placed on the general order ;

Which motion prevailed.

Mr. Edwards moved that

House joint resolution No. 1 (File No. 9), entitled

Joint resolution proposing an amendment to article 4 of the constitution of this State, relative to the liquor traffic,

Be taken from the general order and made the special order for 4 : 30 P. M. to-day ;

Which motion prevailed.

Mr. Francis offered the following resolution :

*Resolved*, That a respectful message be sent to the House requesting the return of

House bill No. 222, entitled

A bill to authorize the village of Harbor Springs to raise money to aid in the construction of a court-house for the county of Emmet ;

Which was adopted.

Mr. Monroe offered the following resolution :

*Resolved by the Senate*, That the State printers be requested to print 200 extra copies of Senate bill No 375, file No. 71, amending the general banking law ;

Which was adopted.

The President *pro tem.* took the chair.

#### THIRD READING OF BILLS.

Senate bill No. 62 (File No. 47), entitled

A bill to provide for the finding and return of verdicts by a less number than six jurors in trials of cases in justice courts in this State ;

Was read a third time and not passed, a majority of all the Senators lect not voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Brown,	Mr. Davis,	Mr. Heisterman,	Mr. Manwaring,
Carpenter,	Edwards,	Henry,	Pennell,
Curtis,	Greiner,	Kempf,	Shoemaker,
Davenport,			

## NAYS.

Mr. Austin,	Mr. Hubbell,	Mr. Phelps,	Mr. Smith, S. W.,
Carveth,	Hueston,	Pulver,	Spencer,
Cline,	Monroe,	Sherwood,	Woodruff,
Hawley,	Moon,	Smith, G. A.,	President
			<i>pro tem.</i> 16

Senate joint resolution No. 3 (File No. 4), entitled  
 Joint resolution proposing an amendment to section 11 of article 5 of the  
 constitution of the State, relative to reprieves, commutations, and pardons,  
 Was read a third time and pending the taking of the vote thereof;  
 Mr. Henry moved that the joint resolution be laid on the table;  
 Which motion did not prevail.  
 After considerable discussion,  
 Mr. Pulver moved that the joint resolution be laid on the table;  
 Which motion prevailed.

## SPECIAL ORDER.

The hour of 4:30 having arrived,  
 On motion of Mr. Edwards,  
 The Senate went into committee of the whole on the special order,  
 Mr. Brown in the chair.  
 After some time spent therein, the committee rose, and, through their  
 chairman made the following report:  
 The committee of the whole have also had under consideration the follow-  
 ing:

House joint resolution No. 1 (File No. 9), entitled  
 Joint resolution proposing an amendment to article 4 of the constitution of  
 this State relative to the liquor traffic;  
 Have made no amendments thereto, and have directed their chairman to  
 report the same back to the Senate, and recommend its passage.

STEPHEN F. BROWN, *Chairman.*

Report accepted.  
 The joint resolution was placed on the order of third reading of bills.  
 On motion of Mr. Edwards,  
 The rules were suspended, and the joint resolution was placed on its immedi-  
 ate passage.

The joint resolution was then read a third time, and pending the taking of  
 the vote thereon,

Mr. Austin moved to lay the resolution on the table.

Mr. Hawley called for the yeas and nays.

The motion then prevailed, by yeas and nays as follows:

## YEAS.

Mr. Austin,	Mr. Cline,	Mr. Hueston,	Mr. Smith, G. A.,
Belknap,	Edwards.	Kempf,	Smith, S. W.,
Brown,	Francis,	Monroe,	Spencer,
Carpenter,	Henry,	Moon,	Stephenson,
Carveth,	Hubbell,	Phelps,	Woodruff, 20

## NAYS.

Mr. Curtiss,	Mr. Greiner,	Mr. Manwaring,	Mr. Sherwood,
Davenport,	Hawley,	Pennell,	Shoemaker,
Davis,	Heisterman,	Pulver,	11

On motion of Mr. G. A. Smith,  
The Senate took a recess until 7:30 o'clock P. M.

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AFTER RECESS.

*7:30 o'clock P. M.*

The Senate met, and was called to order by the President.

Roll called: a quorum present.

Mr. Edwards moved to take from the table

House joint resolution No. 1 (File No. 9), entitled

Joint resolution proposing an amendment to article 4 of the constitution of this State relative to the liquor traffic;

Which motion prevailed.

The joint resolution having been read a third time, and the question being upon its passage,

Mr. Edwards moved the previous question,

Which was demanded by a majority of the Senators present.

The question being shall the main question now be put,

The same was ordered.

The joint resolution was then not passed, two-thirds of all the Senators elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Monroe,	Mr. Smith, S. W.,	
Belknap,	Francis,	Moon,	Spencer,	
Brown,	Henry,	Phelps,	Stephenson,	
Carpenter,	Hubbell,	Smith, G. A.,	Woodruff,	
Carveth,	Kempf,			18

NAYS.

Mr. Cline,	Mr. Greiner,	Mr. Hueston,	Mr. Pulver,	
Curtiss,	Hawley,	Manwaring,	Sherwood,	
Davenport,	Heisterman,	Pennell,	Shoemaker,	
Davis,				13

Mr. Belknap moved to reconsider the vote by which the Senate refused to pass the joint resolution.

Mr. S. W. Smith called for the yeas and nays.

The motion to reconsider prevailed, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Monroe,	Mr. Smith, S. W.,	
Belknap,	Francis,	Moon,	Spencer,	
Brown,	Henry,	Phelps,	Stephenson,	
Carpenter,	Hubbell,	Smith, G. A.,	Woodruff,	
Carveth,	Kempf,			18

NAYS.

Mr. Cline,	Greiner,	Mr. Hueston,	Mr. Pulver,	
Curtiss,	Hawley,	Manwaring,	Sherwood,	
Davenport,	Heisterman,	Pennell,	Shoemaker,	
Davis,				13

have reported me to report the same back to the Senate, and ask to have the same printed, and recommitted to the committee.

WM. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Francis,

The bill was ordered printed and re-referred to the committee.

By the committee on railroads:

The committee on railroads, to whom was referred

Senate bill No. 225, entitled

A bill to prevent accidents upon railroad tracks,

Respectfully report the same back and ask that it be printed for the use of the committee.

CHAS. AUSTIN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Austin,

The bill was ordered printed and re-referred to the committee.

By the committee on railroads:

The committee on railroads, to whom was referred

Senate bill No. 318, entitled

A bill to provide for the introduction and use on all cars owned and operated by any railroad company or other corporation doing business in this State, of some form of automatic car coupling by means of which all cars may be coupled and uncoupled without the necessity of the brakeman or any other person passing between the cars,

Respectfully report the same back with the recommendation that it be printed for the use of the committee.

CHAS. AUSTIN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Austin,

The bill was ordered printed and re-referred to the committee.

By the committee on railroads:

The committee on railroads, to whom was referred

Senate bill No. 253, entitled

A bill to repeal sections 1, 2, and 3 of act No. 11 of session laws of 1877, being sections 9274, 9275, and 9276 of Howell's Annotated Statutes, being an act entitled "An act to prohibit any person from obstructing the regular operation and conduct of business of railroad companies and other corporations, firms, and individuals,"

Respectfully report the same back, with the recommendation that it be printed for the use of the committee.

CHAS. AUSTIN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Austin,

The bill was ordered printed and re-referred to the committee.

By the committee on railroads:

The committee on railroads, to whom was referred

Senate bill No. 300, entitled

A bill to amend section 1 of act No. 177 of the session laws of 1881, entitled "An act relative to the delivery of grain by railway companies," approved May 31, 1881,

Respectfully report the same back with the recommendation that it be printed for the use of the committee.

CHAS. AUSTIN, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, and re-referred to the committee.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 77 (File 24), entitled

A bill to amend an act entitled "An act relative to justices' courts in the city of Detroit," being act No. 280 of the session laws of 1883, approved April 25, 1883,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate with amendment thereto, recommending that the amendment be concurred in, said amendment being the striking out of the last two words in line five, and all of line sixth, of section sixth, of said bill, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

J. A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committees on State library and rules and joint rules:

The committees on State library and rules and joint rules, to whom was referred

Senate bill No. 127, entitled

A bill to provide for the protection and benefit of keepers of stallions in this State,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, as they are instructed by the Senate to do, without amendment, and ask to be discharged from the further consideration of the subject.

THOMAS D. HAWLEY,

*Chairman Committee State Library.*

H. H. PULVER,

*Chairman Committee on Rules and Joint Rules.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

Senate bill No. 326, entitled

A bill supplementary to an act entitled "An act to revise the laws providing for the incorporation of railroad companies, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State," approved May 1, 1873,

Respectfully report the same back with the recommendation that it be printed for the use of the committee.

CHARLES AUSTIN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Austin,

The bill was then ordered printed, referred to the committee of the whole, and acted on the general order.

By the committee on supplies and miscellaneous expenses of the Senate:

- The committee on supplies and miscellaneous expenses of the Senate, report the following bills:

Bill of Michigan Congress Water Co. for furnishing water 15 days at \$1 per day, \$15.

Charles Reeves for washing 149 towels at 5 cents, \$7.45.

For labor done and material furnished under direction of the Sergeant-at-Arms of the Senate, which they have had under consideration, and directed me to report the same to the Senate, and recommend their allowance, and ask to be discharged from the further consideration of the subject.

H. WOODRUFF, *Chairman.*

On motion of Mr. Woodruff,

The bills were allowed.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 27, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following joint resolution: House joint resolution No. 7 (File No. 7), entitled

A joint resolution authorizing the issue of a patent to Milton H. Davis of the county of Gratiot, upon primary school land certificate No. 5321,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The joint resolution was read a first and second time by its title and referred to the committee on judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, February 27, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 7 (File No. 3), entitled

A bill to provide for the penalty of death in certain cases of murder;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on judiciary.

## MOTIONS AND RESOLUTIONS.

Mr. Hubbell moved to take from the table  
Senate bill No. 11 (File No. 19), entitled  
A bill to incorporate the village of Manistique;  
Which motion prevailed.

On motion of Mr. Hubbell,

The bill was referred to the committee of the whole, and placed on the general order.

Mr. Edwards moved to take from the table  
Senate joint resolution No. 16, entitled

A joint resolution proposing amendments to sections 3, 6, 7, 8, 9, 10, and 11 of article 10 of the constitution of this State, so as to provide for a board of county commissioners in each of the counties of this State, instead of a board of supervisors or county auditors;

Which motion prevailed.

On motion of Mr. Edwards,

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. Spencer moved to reconsider the vote by which the Senate refused to pass

Senate bill No. 62 (File No. 47), entitled

A bill to provide for the finding and return of verdicts by a less number than six jurors in trial of cases in justice courts in this State;

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Henry,

The bill was recommitted to the committee of the whole and placed on the general order,

## THIRD READING OF BILLS.

Senate bill No. 73 (File No. 30), entitled

A bill to amend section 14 of chapter 2, of act No. 164, of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being section 5046 of Howell's Annotated Statutes of Michigan.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Kempf,	Mr. Smith, G. A.,
Brown,	Edwards,	Monroe,	Smith, S. W.,
Carpenter,	Francis,	Moon,	Spencer,
Carveth,	Greiner,	Pennell,	Stephenson,
Oline,	Heisterman,	Phelps,	Woodruff,
Ortias,	Hueston,	Sherwood,	President,
Davenport,			<i>pro tem.</i> 25

## NAYS.

0

Title agreed to.

House joint resolution No. 4 (File No. 3), entitled

Joint resolution requesting Congress of the United States to make an



appropriation to aid in the construction of a soldiers' home, to be located in the State of Michigan,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Kempf,	Mr. Smith, G. A.,
Brown,	Edwards,	Monroe,	Smith, S. W.,
Carpenter,	Francis,	Moon,	Spencer,
Carveth,	Greiner,	Pennell,	Stephenson,
Cline,	Heisterman,	Phelps,	Woodruff,
Curtiss,	Hueston,	Sherwood,	President
Davenport,			<i>pro tem.</i> 25

## NAYS.

0

Title agreed to.

Senate bill No. 68 (File No. 31), entitled

A bill to amend section 19 of chapter 3 of act No. 164 of the session laws of 1881, being section No. 5071 of Howell's Annotated Statutes, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," approved May 21, 1881, relative to tuition of non-resident pupils,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Henry,	Mr. Phelps,
Brown,	Davis,	Hueston,	Pulver,
Carpenter,	Edwards,	Monroe,	Smith, S. W.,
Carveth,	Francis,	Moon,	Spencer,
Cline,	Greiner,	Pennell,	President,
Curtis,	Heisterman,		<i>pro tem.</i> 22

## NAYS.

2

Mr. Hubbell, Mr. Sherwood,

Title agreed to.

House bill No. 154 (File No. 53), entitled

A bill to amend an act entitled "An act to protect fish and preserve the fisheries of this State," and being act No. 350 of the session laws of 1865, approved March 21, 1865, and all the acts amendatory thereto, and being found as amended in chapter 63, compiler's section 2195, Howell's Annotated Statutes of Michigan,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Sherwood,
Brown,	Francis,	Kempf,	Smith, S. W.,
Carveth,	Greiner,	Monroe,	Spencer,
Curtiss,	Heisterman,	Moon,	Stephenson,
Davenport,	Henry,	Phelps,	Woodruff,
Davis,			

21

## NAYS.

Mr. Pennell, President *pro tem*.

2

Title agreed to.

Mr. Kempf moved to give the bill immediate effect.

Which motion did not prevail, two-thirds of all the members elect not voting therefor.

Senate bill No. 118 (File No. 53), entitled

A bill to incorporate the village of Boyne City,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Sherwood,
Brown,	Francis,	Kempf,	Smith, S. W..
Carveth,	Greiner,	Monroe,	Spencer,
Cline,	Heisterman,	Moon,	Stephenson,
Curtiss,	Henry,	Pennell,	Woodruff,
Davenport,	Hubbell,	Phelps,	President,
Davis,			<i>pro tem</i> . 25

## NAYS.

0

Title agreed to.

On motion of Mr. Francis,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Carveth moved that when the Senate adjourn to-day, it stand adjourned until Tuesday, March 3, at 9 o'clock A. M.;

Which motion prevailed.

Mr. Austin moved that the Senate go into executive session on executive business with open doors, the time being 10:20 o'clock A. M.;

Which motion prevailed.

The executive session closed, the time being 10:35 o'clock A. M.

On motion of Mr. Cline,

The Senate adjourned.

The President *pro tem*. announced that the Senate would stand adjourned until Tuesday next, at 9 o'clock A. M.

---

*Lansing, Tuesday, March 3, 1885.*

The Senate met and was called to order by the President at 9 o'clock A. M.  
Prayer by Rev. Mr. Thompson.

Roll called: a quorum present.

Absent without leave: Senators Hubbell, Phelps, and Woodruff.

Mr. Stephenson asked and obtained leave of absence for Mr. Hubbell for the day.

Mr. Henry asked and obtained leave of absence for Mr. Woodruff indefinitely on account of sickness in family.

Mr. Belknap asked and obtained leave of absence for Mr. Phelps for the day.

#### PETITIONS.

No. 185. By Mr. Stephenson: Petition of J. M. Wilkenson, F. M. Moore, and 50 other residents and taxpayers of Marquette, Mich., asking for a State prison in the upper peninsula.

No. 186. By the same: Petition of Willard Getchell, T. W. Gilbert, and 58 others, for same object.

No. 187. By the same: Petition of James Mason, W. O. Butler, and 52 others for the same object.

The three petitions were referred to the committee on State affairs.

No. 188. By Mr. Stephenson: Petition of Frederick Smith, Willard Getchell, and 58 others, for a school of technology in the upper peninsula.

No. 189. By the same: Petition of James Mason, W. O. Butler, and 53 others for the same object.

No. 190. By the same: Petition of J. M. Wilkinson, F. M. Moore, and 50 other residents and taxpayers of Marquette, for the same object.

The three petitions were referred to the committee on State affairs.

No. 191. By Mr. Carpenter: Petition of C. C. Morse, C. R. Lyon, A. J. McLouth, and 60 others, asking that the law be so changed regulating the liquor traffic that the money collected as a tax on the business be paid into the county treasury for the support of the township and county poor, and in a case of a surplus, the remainder shall be used for the support of the public schools;

Referred to the committee on liquor traffic.

No. 192. By Mr. Hueston: Petition of Charles Bewick, William C. Colburn, and 113 others, for the passage of House bill No. 47 relative to annexation;

Referred to the committee on cities and villages.

No. 193. By Mr. Pulver: Petition of J. B. Brandt and 79 others for a soldiers' home in Michigan;

Referred to the committee on military affairs.

No. 194. By Mr. Henry: Petition of C. D. Hale and 73 others for the incorporation of Tawas City, Iosco county.

No. 195. By the same: Remonstrance of P. O. Partridge and 53 others against the incorporation of Tawas City.

The petition and remonstrance were referred to the committee on cities and villages.

No. 196. By Mr. S. W. Smith: Petition of C. V. Austin and 97 others of Milburg, Oakland county, for a law providing for the establishment of a home for disabled soldiers, sailors, or marines in the State of Michigan;

Referred to the committee on military affairs.

No. 197. By the same: Petition of Edwin F. Delano and 108 others of Oxford, Oakland county, for the passage of a law to prohibit the manufacture and sale of oleomargarine and butterine;

Referred to the committee on public health.

No. 198. By Mr. Belknap: Petition of Mrs. B. E. Andrews and 15 others in favor of municipal suffrage for women;

Referred to the committee on the judiciary.

No. 199. By Mr. G. A. Smith: Remonstrance of Ezra L. Koon and 40 other citizens of Hillsdale county against the passage of the bill for capital punishment;

Referred to the committee on judiciary.

No. 200. By Mr. Carveth: Petition of Geo. D. Barden, John Dillenbeck, and 38 others, for an enactment of a law providing for the establishment of a home for disabled soldiers in Michigan;

Referred to the committee on military affairs.

No. 201. By the same: Petition of Horatio Butterfield, Joseph Estabrook, and 62 others of Olivet, Eaton county, for the submission of a prohibitory amendment of the constitution to the people.

No. 202. By the same: Petition of William E. Barnes and 41 others for the same object.

No. 203. By the same: Petition of Charles R. Clapp and 55 others of Walton, Eaton county, for the same object.

The last three petitions were referred to the committees on liquor traffic and constitutional amendments jointly.

No. 204. By Mr. Moon: Petition of Rollin S. Thompson, William R. Jones, and 90 others for a soldiers' home in Michigan;

Referred to the committee on military affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate bill No. 50 (File No. 26), entitled

A bill to authorize the board of health of the township of Vassar, Tuscola county, State of Michigan, to remove and re-inter all the dead bodies and remains buried in the cemetery located on the west half of the northeast quarter section 12, township No. 11 north, of range 7 east, in the village of Vassar, Tuscola county, to the Riverside cemetery, located on the south half of the northwest quarter of section 13, township No. 11 north, of range 7 east, township of Tuscola, Tuscola county, Michigan.

J. W. BELKNAP, *Chairman.*

Report accepted.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 2, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

House bill No. 222, entitled

A bill to authorize the village of Harbor Springs to raise money to aid in the construction of a court-house for the county of Emmet;

In accordance with the request of the Senate for the return of the same.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

Mr. Francis moved to suspend the rules for the purpose of reconsidering the vote by which the Senate passed the bill;

Which motion prevailed, two-thirds of all the Senators present voting therefor.

Mr. Francis moved to reconsider the vote by which the Senate passed the bill;

Which motion prevailed.

The question being on the passage of the bill,

The same having been read a third time, pending the taking of the vote thereon,

By unanimous consent, Mr. Francis moved to amend the bill as follows:

1. By striking out of the proviso to section 1 the words "property holding taxpayers" and inserting in lieu thereof the words "qualified electors;";

2. By striking out of the same proviso the words "being electors therein;";

Which motion prevailed and the bill was so amended.

The bill as amended was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Kempf,	Mr. Shoemaker,
Belknap,	Francis,	Monroe,	Smith, G. A.,
Brown,	Greiner,	Moon,	Smith, S. W.
Carpenter,	Heisterman,	Pennell,	Spencer,
Carveth,	Henry,	Sherwood,	Stephenson,
Curtiss,	Hueston,		
			22

#### NAYS.

0

Title agreed to.

On motion of Mr. Francis,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

#### GENERAL ORDER.

On motion of Mr. Belknap,

The Senate went into committee of the whole on the general order.

Mr. Monroe in the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following:

1. House bill No. 420, entitled

A bill to authorize the Ingham County Agricultural Society to borrow money by way of mortgage on its real estate for the purpose of paying its indebtedness;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend its passage.

The committee of the whole have also had under consideration the following

2. Senate bill No. 94 (File No. 37), entitled

A bill to amend sections 2 and 3 of act 192 of the general laws of 1867, entitled "An act to provide for the incorporation of associations, conventions, conferences, or religious bodies, for literary, religious, or other benevolent purposes," approved March 27, 1867, being sections 3132 and 3133 of the compiled laws of 1871, and section 5 of act 4 of the public laws of 1875, amendatory thereto, being sections 4723, 4724, and 4726 of Howell's Annotated Statutes;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following:

3. Senate bill No. 22 (File No. 11), entitled

A bill to amend sections 1442, 1443, 1445, and 1446 of Howell's Annotated Statutes, being sections 1, 2, 4, and 5 of Act No. 244 of the session laws of 1879, entitled "An act for the collection of damages sustained by reason of defective public highways, streets, bridges, cross-walks, and culverts," so as to make said act cover damages sustained by reason of defective sidewalks,

Have directed their chairman to report the same back to the Senate, with the recommendation that it be laid on the table, and that a copy thereof be printed in the Journal as amended by the several amendments proposed thereto in committee of the whole.

The committee of the whole have also had under consideration the following:

4. Senate bill No. 82 (File No. 55), entitled

A bill to regulate the practice of pharmacy in the State of Michigan;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the Senate and ask leave to sit again.

C. J. MONROE, *Chairman.*

The President *pro tem.* having taken the chair,

The report was accepted and committee discharged.

The first named bill was placed on the order of third reading bills.

Mr. Monroe moved that the Senate concur in the amendments made to the second named bill.

Mr. Austin called for the yeas and nays.

The amendments were not agreed to, by yeas and nays as follows:

#### YEAS.

Mr. Cline,	Mr. Davenport,	Mr. Pennell,	Mr. Shoemaker,	5
Curtis,				

#### NAYS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Smith, S. W.,
Brown,	Francis,	Monroe,	Spencer,
Carpenter,	Greiner,	Moon,	Stephenson,
Carveth,	Heisterman,	Sherwood,	President
Davis,	Henry,		<i>pro tem.</i> , 18.

The bill was then placed on the order of third reading of bills.

On motion of Mr. Monroe,

The Senate concurred in the recommendation of the committee regarding the third named bill.

The following is the bill as amended by said proposed amendments:

**A BILL** to amend sections 1442, 1443, and 1445, and 1446, of Howell's Annotated statutes, being sections 1, 2, 4, and 5, of act number 244, of the session laws of 1879, entitled "An act for the collection of damages sustained by reason of defective public highways, streets, bridges, cross-walks, and cul-

verts," so as to make said act cover damages sustained by reason of defective sidewalks.

SECTION 1. *The People of the State of Michigan enact*, That sections one thousand four hundred and forty-two, one thousand four hundred and forty-three, one thousand four hundred and forty-five, one thousand four hundred and forty-six, of Howell's Annotated Statutes, being sections one, two, four, and five, of act number 24, of the session laws of 1879, being an act entitled "An act for the collection of damages sustained by reason of defective public highways, streets, bridges, cross-walks, and culverts," be and the same are hereby amended so as to read as follows :

SEC. 1. Any person or persons sustaining bodily injury upon any of the public highways or streets in this State, by reason of neglect to keep such public highways or streets, and all bridges, \* \* \* cross-walks, and culverts on the same in *reasonable* repair, and in a condition reasonably safe and fit for travel, by the township, village, city, or corporation whose corporate authority extends over such public highway, street, bridge, \* \* \* cross-walk, or culvert, and whose duty it is to keep the same in *reasonable* repair, such township, village, city, or corporation shall be liable to and shall pay to the person or persons so injured or disabled, just damages, to be recovered in an action of trespass on the case, before any court of competent jurisdiction.

SEC. 2. If any horse or other animal, or any cart, carriage, vehicle, or other property, shall receive any injury or damage by reason of neglect by any township, village, city, or corporation, to keep in repair any public highway, street, bridge, \* \* \* cross-walk, or culvert, the township, village, city, or corporation, whose duty it is to keep such public highway, street, bridge, \* \* \* cross-walk, or culvert in repair, shall be liable to, and shall pay the owner thereof just damages, which may be recovered in an action of trespass on the case, before any court of common jurisdiction: *Provided, That in all actions brought under this act, it must be shown that such township, village, or city, has had reasonable time and opportunity after (actual knowledge by, or actual notice to such township, village, or city that) such highways, streets, cross-walk, or culvert (have become) unsafe, or unfit for travel, to put the same in the proper condition for use, and has not used reasonable diligence therein (after such knowledge or notice).*

SEC. 4. It is hereby made the duty of townships, villages, cities, or corporations to keep in *reasonable* repair, so that they shall be *reasonably* safe and convenient for public travel \* \* \* all public highways, streets, bridges, \* \* \* cross-walks, and culverts that are within their jurisdiction, and under their care and control, and which are open to public travel. And when the means now provided by law are not sufficient to enable any township, village, or city to keep its public highways, streets, bridges, \* \* \* cross-walks and culverts in good repair, such township, village, or city is hereby authorized to levy such additional sum upon the taxable property of such township, village, or city, not exceeding five mills on the dollar, in any one year, as will enable such township, village, or city to keep its public highways, streets, bridges, \* \* \* cross-walks, and culverts in good repair at all times. Highway commissioners, street commissioners, and all other officers having special charge of highways, streets, bridges, \* \* \* cross-walks, and culverts, and the care or repairing thereof, are hereby made and declared to be officers of the township, village, city, or corporation wherein they are elected or appointed, and shall be subject to the general direction of

such township, village, city, or corporate authorities, in the discharge of their several duties.

SEC. 5. The provisions of this act shall not apply to public highways which have not been in use ten years; but nothing in this section shall be construed as exempting townships, villages, and cities from maintaining their streets, bridges, \* \* \* cross-walks, and culverts, and the approaches to bridges, in a safe condition for public travel.

SEC. 6. *No township, village, or city, in this State shall be liable in damages to any person or persons for bodily injury, or injuries sustained upon any of the public sidewalks in this State, by reason of neglect to keep such sidewalks in repair; nor shall any township, village, or city in this State, be liable in damages, or otherwise, to any person or persons for bodily injury sustained upon any of the public highways, streets, bridges, cross-walks, or culverts in such townships, villages, or cities, except under and according to the provisions of this act, and the common law liability of townships, villages, and cities in this State, for or on account of bodily injuries sustained by any person by reason of neglect to keep in repair public highways, streets, sidewalks, cross-walks, or culverts, is hereby abrogated.*

SEC. 7. *In suits brought against any city, village, or township, of this State, under the provisions of this act, the judgment recovered shall not exceed the sum of five hundred dollars, exclusive of costs, where the population of the township, village, or city against which suit is brought, shall, according to the census taken next preceding the time of the commencement of such suit, be less than five hundred; and where the population of such township, village, or city, according to such census, shall be over five hundred, and less than one thousand, the judgment recovered shall not exceed one thousand dollars, exclusive of costs; where the population of the township, village, or city sued shall be over one thousand, and less than two thousand, according to such census, the judgment shall not exceed two thousand dollars, exclusive of costs; and where the population of the township, village, or city so sued shall exceed, according to such census, two thousand, the judgment recovered shall not exceed three thousand dollars, exclusive of costs.*

On motion of Mr. Monroe,

The Senate concurred in the request of the committee to sit again for further consideration of the fourth named bill.

On motion of Mr. S. W. Smith,

The rules were suspended, and the following bill was placed on its immediate passage:

House bill No. 420, entitled

A bill to authorize the Ingham County Agricultural Society to borrow money by way of mortgage on its real estate for the purpose of paying its indebtedness.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Shoemaker,
Brown,	Edwards,	Kempf,	Smith, G. A.,
Carpenter,	Francis,	Monroe,	Smith, S. W.,
Carveth,	Greiner,	Moon,	Spencer,
Cline,	Heisterman,	Pennell,	Stephenson,
Curtiss,	Henry,	Sherwood,	President
Davenport,			<i>pro tem.</i> , 25



## NAYS.

0

Title agreed to.

On motion of Mr. S. W. Smith,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

On motion of Mr. Carveth,

The Senate took a recess until 2 o'clock P. M.

## AFTERNOON SESSION.

2 o'clock P. M.

The Senate met and was called to order by the President.

Roll called: a quorum present.

## PETITIONS.

No. 205. By Mr. Shoemaker: Resolutions of the board of supervisors of Jackson county, against the passage of House bill 149 providing for the appointment of a stenographer for the fourth judicial circuit.

Referred to the committee on the judiciary.

## THIRD READING OF BILLS.

Senate bill No. 94 (File No. 37), entitled

A bill to amend sections 2 and 3 of act 192 of the general laws of 1867, entitled "An act to provide for the incorporation of associations, conventions, conferences or religious bodies, for literary, religious or other benevolent purposes," approved March 27, 1867, being sections 3132 and 3133 of the compiled laws of 1871, and section 5 of act 4 of the public laws of 1875, amendatory thereto, being sections 4723, 4724, and 4726 of Howell's Annotated Statutes,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Moon,	Mr. Smith, G. A.,
Brown,	Greiner,	Phelps,	Smith, S. W.,
Carpenter,	Henry,	Pulver,	Spencer,
Carveth,	Hueston,	Sherwood,	Stephenson,
Cline,	Manwaring,	Shoemaker,	President
Davenport,	Monroe,		<i>pro tem.</i> , 22

## NAYS.

Mr. Curtiss, Mr. Heisterman,

2

Title agreed to.

## GENERAL ORDER.

On motion of Mr. G. A. Smith,

The Senate went into committee of the whole on the general order,

Mr. Monroe in the chair.

After some time spent therein, the committee rose, and, through their chairman made the following report:

The committee of the whole have had under consideration the following:

Senate bill No. 82 (File No. 55), entitled

A bill to regulate the practice of pharmacy in the State of Michigan;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

C. J. MONROE, *Chairman.*

On motion of Mr. Monroe,

The Senate concurred in the amendments made to the bill and the same was placed on the order of third reading of bills.

On motion of Mr. Davenport,

The bill as amended was ordered reprinted.

On motion of Mr. Monroe,

The Senate adjourned.

*Lansing, Wednesday, March 4, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.

Prayer by Rev. Mr. Valentine.

Roll called: a quorum present.

Absent without leave: Senators Curtiss and Kempf.

Mr. Belknap asked and obtained leave of absence for Mr. Curtiss for the day.

Mr. Spencer asked and obtained leave of absence for Mr. Kempf for the day.

#### PETITIONS.

No. 206. By Mr. Manwaring: Petition of Joseph Armstrong, William H. Baily, Frank Lockwood, and 85 others, citizens of Lapeer county, for the passage of certain House bills.

On motion of Mr. Manwaring,

The petition was ordered printed in the Journal and referred to the committee on labor.

*To the members of the Senate and House of Representatives of the State of Michigan:*

We, the undersigned citizens of Lapeer, most respectfully and most urgently request you to vote for and use all your influence to secure the passage of certain bills now pending in the Legislature, which deeply effect our interests and which we earnestly desire to have enacted into laws, among which we particularly specify:

House bill No. 10. To abolish the contract system at the Ionia House of Correction and Reformatory.

House bill No. 11. To abolish the contract system in the State Prison.

House bill No. 66. To repeal the conspiracy law.

House bill No. 130. To protect the rights of laborers.

House bill No. 83. To prohibit residents from other States from acting as deputy sheriffs. (Pinkerton's Detectives.)

House bill No. 144. To provide for the marking of all goods made in the prisons of the State; also, such other bills as will advance the interests and diminish the burdens of the laboring people. We hope you will give this subject your most careful consideration.

Corporate capital in all its myriad forms sends its paid agents to Lansing to work to advance its interests in all directions. The people expect you as their representatives to exert your utmost power to protect their just rights and advance their welfare.

No. 207. By Mr. Stephenson: Petition of 60 citizens of Dollarville, for the establishment of a school of technology in the Upper Peninsula;

No. 208. By the same: Petition of 24 citizens of Seney for the same object;

No. 209. By the same: Petition of Royal A. Jenny, Harry L. Harris, R. F. Birdie and 130 other citizens of Newberry for the same object;

No. 210. By the same: Petition of 30 citizens of Naubinway for the same object;

The four petitions were referred to the committee on State affairs.

No. 211. By the same: Petition of 24 citizens of Seney for the establishment of a State prison in the Upper Peninsula;

No. 212. By the same: Petition of 60 citizens of Dollarville for the same object;

The two petitions were referred to the committee on State affairs.

No. 213. By Mr. Pennell: Petition of S. W. Hammond and 58 other citizens of the county of Ingham, for the passage of the Ford hanging bill;

Referred to the committee on the judiciary.

No. 214. By Mr. Davis: Petition of C. E. Mosher, Charles Rathburn, and 152 other citizens of Millington, Tuscola county, asking in the interest of labor, the passage of House bills No. 10, 11, 66, 83, 130 and 144;

Referred to the committee on labor.

No. 215. By Mr. Moon: Petition of H. W. Cleveland and J. G. Westover and 39 others, for the passage of House bill No. 76, and Senate bill No. 82, in reference to pharmacy;

Referred to the committee on public health.

No. 216. By the same: Petition of Charles P. Rose, Henry H. Himelberger, and 70 others, asking for the enactment of a law providing for the establishment of a home for disabled soldiers, sailors, and marines in the State of Michigan;

No. 217. By Mr. Monroe; Petition of Charles Dalemere and 505 other citizens of South Haven and vicinity, for the same object;

The two petitions were referred to the committee on military affairs.

No. 218. By Mr. Davenport: Remonstrance of the school district board of Saginaw City and 614 citizens, relative to House File No. 92, "To prohibit the teaching of languages other than English in primary schools in this State, except in certain cases."

No. 219. By the same: Remonstrance of B. M. Thompson, Franklin Noble, and 754 others of East Saginaw, for the same object.

No. 220. By the same: Remonstrance of Bernhard Haack and 26 others of the town of Bloomfield, for the same object.

The three petitions were referred to the committee on education and public schools.

On motion of Mr. Davenport,

The remonstrance was ordered printed in the Journal.

The following is the remonstrance:

*To the Honorable the Members of the Legislature of the State of Michigan :*

GENTLEMEN,—Your petitioners desire most respectfully to represent to your Honorable bodies, that they are tax-payers and citizens of said State; that they have become familiar with the provisions of a bill recently introduced into the House of Representatives at the present session of the Legislature, entitled “A bill to prohibit the teaching of languages other than the English, and studies in other than the English language, in the primary schools of this State, except in certain cases.” That, in the opinion of your petitioners, the provisions of said bill are not in accordance with the best interests of the people of the State, and should they become law, would tend to retard rather than promote popular education. This opinion is based upon the following, among other reasons :

*First*, From the earliest period of the history of this State, the teaching of other than the English language has been permitted in the primary schools under the direction of the proper officers. As authority for this statement, your attention is respectfully called to the able and learned opinion of Chief Justice Cooley, given in the case of *Stewart vs. School District No. 1, of Kalamazoo*, 30 Mich. R., 69. During this entire period, such teaching has had the sanction of the foremost educators of the State, and, so far as the observation of your petitioners has extended, has received the approbation and hearty assent of the great majority of the people. It cannot be deemed wise legislation to change laws that have been promotive of the public good, especially when there is no popular demand for such change;

*Second*, In many localities in this State, as is known to all, the use of other than the English language is of great practical benefit to every inhabitant. If a knowledge of such other languages can be obtained in the primary schools, then the children of the poor, as well as those of the rich, can enjoy that benefit, otherwise not. The primary schools should meet the demands of all the people, supplying fairly the educational wants of every community;

*Third*, The provision of the bill, requiring the voters of each district to pass upon the question each year, is especially pernicious in this, that it will keep the question constantly agitated, resulting, it may be in an affirmative vote one year, and in a negative the next, thus causing a continual change in the schools, alike as to policy, teachers, and studies. As the law now is, the question is left to the wise discretion of the school officers, and as experience in the past has abundantly taught, they have fairly represented the sentiments of the people, in their action in this regard;

*Fourth*, It has ever been the pride and glory of Michigan that she has made liberal and wise provisions for the public schools. Good statesmanship demands that those provisions should in nowise be curtailed. The bill in question is a step backwards, and, in the opinion of your petitioners, is illiberal, and as a precedent, dangerous. Commence once to restrict the education to be obtained in the primary schools, and it is not easy to say when and where the process of restriction will cease. It is the first step that costs.

For the foregoing reasons, and others which will readily occur to any one who reflects upon the subject, your petitioners most earnestly protest against the passage of the bill above referred to, and as in duty bound, will ever pray, etc.

No. 221. By Mr. Edwards: Petition of E. B. Slocum, and 40 other citizens of Hesperia, Oceana county, and vicinity, for legislation providing for a home for disabled soldiers, sailors, and marines, in the State of Michigan;

Referred to the committee on military affairs.

## REPORTS OF STANDING COMMITTEES.

By the committee on agricultural college:

The committee on agricultural college, to whom was referred

House bill No. 120 (File No. 51), entitled

A bill to amend section 3, chapter 134, Compiled Laws of 1871, relative to the State Agricultural College, being section 4979 of Howell's Annotated Statutes of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. J. MONROE, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred

Senate bill No. 247, entitled

A bill to amend section 17 of act No. 164 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being section 5049 of Howell's Annotated Statutes, relative to qualified voters at district elections,

Respectfully report that they have had the same under consideration, and have directed me to report the bill back to the Senate, with an amendment thereto, recommending that the amendment be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Carveth,

The Senate concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on education and public schools.

The committee on education and public schools, to whom was referred

Senate bill No. 382, entitled

A bill to amend chapter 106 of the Compiled Laws of 1871, being chapter 167 of Howell's Annotated Statutes relative to industrial schools, by adding two new sections thereto to stand as sections 7 and 8,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred

Senate bill No. 362, entitled

A bill to amend section 4 of act No. 316 of the session laws of 1877, as amended by act No. 323 of the session laws of 1879, being an act entitled "An act to reorganize the union school district of the city of Flint," and to repeal act No. 309 of the session laws of 1867, act No. 375 of the session laws of 1871, and act No. 22 of the session laws of 1872,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred Senate bill No. 277, entitled

A bill to amend section 7 of act No. 44 of the session laws of 1859, being an act for the benefit of fractional school district No. 1, of Vassar, and No. 2, of Tuscola, approved Feb. 3, 1859, relative to the powers and duties of school inspectors of said act,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred Senate bill No. 320, entitled

A bill to amend section 10 of act No. 164 of the public acts of 1877, approved May 21, 1877, being an act entitled "An act to authorize cities, incorporated villages, and townships to establish and maintain free public libraries and reading-rooms," being section 5184 of Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred Senate bill No. 223, entitled

A bill to establish and maintain a free public library in the city of Jackson,

Respectfully report that they have the same under consideration and have directed me to report the same back to the Senate without amendment, and

recommend that it do pass, and ask to be discharged from the further consideration of the subject.

\* JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred Senate bill No. 172, entitled

A bill to provide for the examination of teachers by the school board of union school district No. 1, township of Fenton, Genesee county, Michigan,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred Senate bill No. 77 (File No. 56), entitled

A bill to establish a homeopathic college in Michigan,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without recommendation, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Carveth,

The bill was referred to the committee of the whole and placed on the general order.

By the committee on agricultural interests:

The committee on agricultural interests, to whom was referred Senate bill No. 234, entitled

A bill to amend section 2 of an act entitled "An act to authorize the formation of county and town agricultural societies," approved February 12, 1855, and amended by act 228 of the laws of 1881, being section 2169 of the compiled laws of 1871, the same being section 2304 of Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

MANSON CARPENTER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on reform school:

The committee on reform school, to whom was referred Senate bill No. 310, entitled

A bill to amend sections 10 and 12 of chapter 268 compiled laws of 1871, being compiler's sections 8135 and 8137, as amended by act 84, public acts of

1877, relative to the Reform School, being sections 9817 and 9819 of Howell's Annotated Statutes of 1882,

Respectfully report the same back with the request that the same be referred to the committees on reform school and the judiciary jointly.

H. C. SPENCER, *Chairman*.

Report accepted.

On motion of Mr. Spencer,

The bill was ordered referred to the committees on the reform school and the judiciary jointly.

By the committee on State capitol and public buildings:

The committee on State capitol and public buildings, to whom was referred Senate bill No. 337, entitled

A bill to authorize the Board of State Auditors to audit and allow all just claims for services rendered by fire companies who aid in extinguishing fires in State property,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without recommendation, and ask to be discharged from the further consideration of the subject.

CHRISTIAN HERTZLER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hertzler,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on the judiciary, to whom was referred

Senate joint resolution No. 15, entitled

Joint resolution extending the time for the completion of the Marquette, Houghton and Ontonagon railroad,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the recommendation that it be printed and re-committed to the judiciary committee.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was ordered printed and re-referred to the committee.

#### MESSAGE FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICE,  
Lansing, March 3, 1885. }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State,

An act to authorize the board of health of the township of Vassar, Tuscola county, State of Michigan, to remove and re-inter all the dead bodies and remains buried in the cemetery located on the west half of the northeast quarter section 12, township No. 11 north, of range 7 east, in the village of Vassar, Tuscola county, to the Riverside cemetery, located on the south half of the northwest quarter of section 13, township number 11 north, of range 7 east, township of Tuscola, Tuscola county, Michigan.

RUSSELL A. ALGER, *Governor*.

The message was laid on the table.



## MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 3, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 138 (File No. 80), entitled

A bill to amend sections 12 and 53 of an act entitled "An act to regulate and govern the State house of correction and reformatory at Ionia," approved May 22, 1877, and to add a new section thereto to stand as section 65;

2. House bill No. 200 (File No. 99), entitled

A bill to amend compiler's section 6217 of the compiled laws of 1871, relative to service of processes in the action of ejectment, being section 7501 of Howell's Annotated Statutes of Michigan;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on State house of correction.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 3, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 196 (File No. 89), entitled

A bill to authorize and empower the township of Glencoe, in the county of Lake, to sue for and collect all moneys belonging to school district No. 1 in said township, to authorize and direct the supervisor of said township to institute criminal proceedings against any person or persons who have embezzled or may embezzle funds or property belonging to said district, and to authorize the township treasurer of said township, under the direction of the township board thereof, to receive, hold, or loan in trust all funds belonging to said district for the benefit thereof, and to act as trustee and custodian of the property and effects belonging thereto;

2. House bill No. 184 (File No. 123), entitled

A bill to amend section 4 of title 1; section 3 of title 2; sections 14 and 18 of title 3; sections 12, 23, and 33 of title 4; section 22 of title 5; sections 1, 2, and 4 of title 6; and section 10 of title 10, of an act entitled "An act to revise the charter of the city of Grand Rapids, being amendatory of an act entitled 'An act to incorporate the city of Grand Rapids, approved April 2d, 1850,' as amended by the several acts amendatory thereof," approved March 29, 1877, as amended by act No. 379 of the session laws of 1879, approved May 23, 1879, as amended by act No. 365 of the session laws of 1881, approved April 29, 1881;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take

immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title and referred to the committee on cities and villages.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 2, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 229 (File No. 91), entitled

A bill to amend section 13 of chapter 150 of the revised statutes of Michigan, of 1846, the same being compiler's section 9019 of Howell's Annotated Statutes of Michigan of 1882, relative to fees of constables in civil cases;

2. House bill No. 252 (File No. 90), entitled

A bill to amend sections 185 and 186 of chapter 93 of the revised statutes of 1846, entitled "Of courts held by justices of the peace," being sections 7000 and 7001 of Howell's Annotated Statutes;

3. House bill No. 134 (File No. 92), entitled

A bill to prohibit the teaching of languages other than the English, and studies in other than the English language in the primary schools of this State, except in certain cases;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title and referred to the committee on judiciary.

The third named bill was read a first and second time by its title, and referred to the committee on education and public schools.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 3, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 22 (File No. 93), entitled

A bill to provide for the uniform system of examination of teachers for the county of Alpena;

2. House bill No. 21 (File No. 94), entitled

A bill to incorporate the public schools of the township of Green, in the county of Alpena;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered

to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on education and public schools.

The second named bill was read a first and second time by its title, and referred to the committee on education and public schools.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 3, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 181, entitled

A bill to amend section 5, of chapter 178, of the compiled laws of 1871, entitled "An act to amend chapter 93, of the revised statutes of 1846, entitled 'Of courts held by justices of the peace,'" the same being section 6818, of Howell's Annotated Statutes;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 3, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 240 (File No. 102), entitled

A bill to provide for the number of jurors in trials of civil actions in courts of record;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 4, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 13 (File No. 52), entitled

A bill to reincorporate the village of Armada, in the county of Macomb,

In the passage of which, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives,*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 3, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 67 (File No. 75), entitled  
A bill to provide for the partition of real estate in certain cases;
2. House bill No. 231 (File No. 98) entitled

A bill to amend section 5935 of the compiled laws of 1871, relative to evidence, the same being section 7508 of Howell's Annotated Statutes;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 4, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

1. House bill No. 202, entitled

A bill to amend chapter 5 of an act entitled an act to incorporate the city of Ishpeming, in the county of Marquette, approved April 10, 1873, adding thereto three new sections, and to add thereto a new chapter to stand as chapter 15;

2. House bill No. 578, entitled

A bill to amend section 2 of act No. 265 of the session laws of 1871, approved April 13, 1871, as amended by act No. 302 of session laws of 1883, approved May 18, 1883, relative to the charter of the village of Dundee;

Which have passed the House by a majority vote of all the members elect and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on cities and villages.

The second named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 4, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 81 (File No. 51), entitled

A bill to reincorporate the village of Imlay City, in the county of Lapeer, and to repeal act No. 233, session laws of 1873, as amended by act No. 323, session laws of 1875, incorporating said village;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

#### MOTIONS AND RESOLUTIONS.

Mr. Hubbell offered the following resolution:

*Resolved*, That the committee on judiciary be and they are hereby authorized to send for persons and papers, and to employ a stenographer, in the contested election case of John Greusel, Jr., contestant, against James Hueston, respondent, and to sit during the sessions of the Senate;

Which was adopted.

Mr. Carveth moved to take from the table,

Senate bill No. 22 (File No. 11), entitled,

A bill to amend sections 1442, 1443, 1445, and 1446 of Howell's Annotated Statutes, being sections 1, 2, 4, and 5 of act No. 244 of the session laws of 1879, entitled "An act for the collection of damages sustained by reason of defective public highways, streets, bridges, cross-walks, and culverts," so as to make said act cover damages sustained by reason of defective sidewalks.

Which motion prevailed.

On motion of Mr. Carveth,

The bill was recommitted to the committee of the whole.

#### GENERAL ORDER.

On motion of Mr. Manwaring,

The Senate went into committee of the whole on the general order,

Mr. Cline in the chair.

After some time spent therein, the committee rose, and, through their chairman, made the following report:

The committee of whole have had under consideration the following:

1. Senate bill No. 75 (File No. 57), entitled

A bill to amend section 17 of chapter 175 of an act entitled "An act to define the limits, jurisdiction, and powers of circuit courts" of the compiled laws of 1871, being compiler's section 6474 of Howell's Annotated Statutes, relative to the sum to be paid by parties demanding a jury;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend its passage.

The committee of the whole have also had under consideration the following:

2. Senate bill No. 126 (File No. 58), entitled

A bill to amend section 7612 of compiled laws of 1871, relative to the protection of land, and punishment for cutting and carrying away timber therefrom;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

WILLIAM M. CLINE, *Chairman*.

Report accepted and committee discharged.

The first named bill was placed on the order of third reading of bills.

The question being on concurring in the amendments made to the second named bills,

Mr. Shoemaker demanded a division as to concurring in the amendment by striking out of line 5, section 1, the word "twenty-five," and inserting in lieu thereof the word "ten."

The Senate then non-concurred in the amendment proposed.

On motion of Mr. Cline,

The Senate concurred in the other amendments made by the committee to the bill, and the same was placed on the order of third reading of bills.

On motion of Mr. Belknap,

The Senate adjourned.

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*Lansing, Thursday, March 5, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.

Prayer by the Rev. Dr. Jameson.

Roll called: a quorum present.

#### PETITIONS.

No. 232. By Mr. Manwaring: Petition of Isaac N. Jenness, Anthony Williams, Joseph B. Hodson and 31 others, citizens and electors, for the incorporation of the village of Attica, in Lapeer county;

Referred to the committee on cities and villages.

No. 223. By Mr. Manwaring: Petition for the repeal of the Baker conspiracy law and for the repeal, amending and enacting certain other laws;

Referred to the committee on labor.

No. 224. By Mr. Hubbell: Petition of J. A. Bertzler and 46 others, asking for the enactment of a law to enlarge school district No. 1, in Portage township, Houghton county;

Referred to the committee on education and public schools.

No. 225. By S. W. Smith: Petition of J. G. Noble and 60 others of Oakland county for the passage of a law regulating the liquor traffic, so that the tax from the business shall go towards supporting the township and the county poor and public schools;

Referred to the committee on liquor traffic.

No. 226. Petition of Dr. H. Lever and 37 others for the passage of the pharmacy bills;

Referred to the committee on public health.

#### REPORTS OF STANDING COMMITTEES.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred Senate bill No. 102, entitled

A bill to prevent crime and to punish truancy,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Carveth,

The House concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

Senate bill No. 334, entitled

A bill making an appropriation of State swamp land to aid the counties of Shiawassee and Clinton to remove bars and other obstructions to the free flow of water in the Lookingglass river, and to repeal act No. 239 of the session laws of 1881, entitled "An act to authorize the board of control of State swamp land to aid in the removal of bars and other obstructions to the free flow of water in the Lookingglass river, in the counties of Clinton and Shiawassee," approved June 8, 1881,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the recommendation that the bill be printed and re-referred to the same committee.

J. MANWARING, *Chairman.*

Report accepted.

The bill was ordered printed, and re-referred to the committee.

By the committee on public lands:

The committee on public lands to whom was referred

Senate bill No. 296, entitled

A bill making an appropriation of State swamp lands to aid the county of Jackson in straightening and opening a channel or outlet for Portage Lake, and to authorize a tax to complete the same, and to repeal act No. 132 of the session laws of 1881, entitled "An act to authorize and empower the board of control of State swamp lands to make an appropriation of swamp lands to drain certain overflowed lands in Jackson county," approved May 10, 1881,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with the recommendation that the bill be printed and re-referred to the same committee.

J. MANWARING, *Chairman.*

Report accepted.

The bill was ordered printed and re-referred to the committees.

By the committee on counties and townships:

The committee on counties and townships to whom was referred Senate bill No. 176 (File No. 60), entitled

A bill to change and fix the boundary line between the counties of Houghton and Baraga,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Edwards,	Kempf,	Shoemaker,
Brown,	Francis,	Manwaring,	Smith, G. A.,
Carpenter,	Greiner,	Monroe,	Smith, S. W.,
Carveth,	Heisterman,	Moon,	Spencer,
Cline,	Henry,	Pennell,	Stephenson,
Curtiss,	Hertzler,	Phelps,	Woodruff,
Davenport,	Hubbell,	Pulver,	31
			0

NAYS.

Title agreed to.

On motion of Mr. Hubbell,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on cities and villages:

The committee on cities and villages to whom was referred

House bill No. 202, entitled

A bill to amend chapter 5 of an act entitled "An act to incorporate the city of Ishpeming, in the county of Marquette," approved April 10, 1873, adding thereto three new sections, and to add thereto one new chapter to stand as chapter 15,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 20, entitled

A bill to amend and to repeal certain sections of the charter of the city of Negaunee,

Respectfully report that they have had the same under consideration, and



have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the amendments made to the bill by the committee. The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

Senate bill No. 213, entitled

A bill to incorporate the village of Marine City, in St. Clair county,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the amendments made to the bill by the committee. The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

Senate bill No. 274, entitled

A bill to incorporate the village of Tawas City in the township of Tawas, Iosco county and State of Michigan,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages to whom was referred

House bill No. 293, entitled

A bill to incorporate the village of Milan, in the counties of Monroe and Washtenaw,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with the accompanying substitute therefor, entitled

A bill to incorporate the village of Milan, in the counties of Monroe and Washtenaw,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the substitute adopted for the bill by the committee.

On motion of Mr. Hertzler,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor by yeas and nays as follows:

YEAS.

Mr. Austin,	Mr. Davis,	Mr. Kempf,	Mr. Sherwood,
Belknap,	Edwards,	Manwaring,	Shoemaker,
Brown,	Francis,	Monroe,	Smith, G. A.,
Carpenter,	Greiner,	Moon,	Smith, S. W.,
Carveth,	Heisterman,	Pennell,	Spencer,
Cline,	Henry,	Phelps,	Stephenson,
Curtiss,	Hertzler,	Pulver,	Woodruff,
Davenport,	Hubbell,		

30

NAYS.

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Title agreed to.

On motion of Mr. Hertzler,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on counties and townships:

The committee on counties and townships, to whom was referred Senate bill No. 188, entitled

A bill to amend section 703 of the compiled laws of 1871, as amended by act No. 53 of the session laws of 1873, being section 741 of Howell's Annotated Statutes relating to the duties of township clerks,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 110 (File No. 37), entitled

A bill to provide for the payment of certain drain taxes apportioned on State lands in accordance with the provisions of section 21 of act number 269, session laws of 1881, being section 1711 of Howell's Annotated Statutes of 1882,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 162 (File No. 68), entitled

A bill to detach the county of Ogemaw from the 18th judicial circuit and attach the same to the 23d judicial circuit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 157, entitled

A bill to amend Sec. 15 of chapter 259 of the compiled laws of 1871, being section 9-68 of Howell's Annotated Statutes, relative to the exclusion of witnesses and spectators at trials before magistrates,

Respectfully report that they have had the same under consideration, and directed me to report the same back to the Senate, without amendment, and without recommendation as to its passage, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 149, entitled

A bill to amend sections 3 and 6 of chapter 34 of the revised statutes of 1846, relating to money of account and the interest of money, and on judgments, verdicts, etc.; also, section 1 of act No. 11 of the session laws of 1869 relating to interest upon installments falling due upon written contracts, being sections 1594, 1597, and 1599 of Howell's Annotated Statutes of Michigan,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it be printed and recommended to the judiciary committee.

JAY A. HUBBELL, *Chairman*.

Report accepted.

The bill was ordered printed and re-referred to the committee.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate bill No. 13 (File No. 52), entitled

A bill to re-incorporate the village of "Armada," in the county of Macomb ; Also,

Senate bill No. 81 (File No. 51), entitled

A bill to reincorporate the village of "Imlay City," in the county of Lapeer,

and to repeal act No. 233, of the session laws of 1873, as amended by act No. 323 of the session laws of 1875, incorporating said village.

J. W. BELKNAP, *Chairman*.

Report accepted.

By the committee on reform school:

The committee on reform school, to whom was referred

Senate bill No. 311, entitled

A bill to amend section 1 of an act relative to the State agency for the care of juvenile offenders, being chapter 346 of Howell's Annotated Statutes, and to add a new section thereto,

Respectfully report the same back with the request that the same be referred to the committees on reform school and the judiciary jointly.

H. C. SPENCER, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committees on reform school and the judiciary, jointly.

By the committee on agricultural interests:

The committee on agricultural interests, to whom was referred

Senate bill No. 384, entitled

A bill to amend sections 4, 5, and , of act 198 of the session laws of 1877, approved May 23, 1877, as amended by act 283 of the session laws of 1881, approved June 11, 1881, entitled "An act to amend sections 5 and 6 of act No. 198 of the session laws of 1877, being an act entitled 'An act to provide for a tax on dogs, and to create a fund for the payment of certain damages for sheep killed or wounded by them in certain cases,' " approved May 23, 1877, and to add a new section thereto to stand as section 10,

Respectfully report that they have had the same under consideration, and, have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

MANSON CARPENTER, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State prison:

The committee on State prison to whom was referred so much of the retiring Governor's, and the Governor's messages as relate to that institution, respectfully report, that they have visited the State prison at Jackson and have made such examination of its affairs and condition as time and circumstances would permit, and have endeavored to gather the facts which are necessary to judicious and intelligent action on the part of the Senate. From all that came to our notice we are led to believe that the affairs of the prison have been well managed, and that every subordinate officer has been prompt in performing the work assigned him. We cannot too strongly commend the fidelity and efficiency of Mr Pond, late warden, as displayed by the manner in which he performed the delicate and responsible duties which devolved upon him. From the warden, your committee obtained the following facts: Number of convicts now in prison 720, of which number 492 are at work under contract by the day, and there are also 52 convicts at work on a piece-price contract making brooms, leaving 176 of the convicts engaged in miscellaneous work for the State, excepting those who are disabled or unfit for duty.

For necessary repairs and improvements your committee recommend that the following sums be appropriated. For iron bunks, \$1,300; cementing base of cells, etc., \$810; ventilating cell blocks, \$830; coal and wood house, \$500.

And your committee further recommend, Senator Henry dissenting, that \$7,500 be appropriated for the purchase of the land south of and adjacent to the prison, as recommended by the warden and the State board of charities and corrections, and \$3,500 for repairs on buildings, and \$1,000 for ventilating shops.

Under the existing laws the board of inspectors are authorized to make such arrangements for the employment of any convicts not employed on any contract as in their judgment will promote the interests of the State, and, therefore, your committee do not deem any new legislation necessary.

Perhaps there is no more important question relating to prison management than that which pertains to the system upon which convict labor shall be employed, and upon this question there is a wide diversity of opinion.

That convicts should be employed in some useful and necessary industry is a proposition, the correctness of which will be accepted by all.

Idleness in prison would be a fruitful source of insubordination, unfavorable to proper sanitary conditions, while it would impose an onerous and an unnecessary burden upon the people of the State.

The question then is, what particular system should be pursued in the employment of convict labor?

Many worthy citizens object to the contract system of labor on the ground that the product of such labor depresses free labor and deprives it of its rightful and just compensations.

In the judgment of your committee, it is not the *system* of labor but the fact of *production* which affects to some extent the interests of free labor. It is wholly immaterial to the free laboring mechanic whether a thousand wagons, or any other article of essential utility, shall be manufactured in our State prison under the contract system, or whether a like number are made under the piece price or public account system; the competition resulting from such production would be the same under all the conditions named.

In the solution of the complex problem of labor and in determining what policy is best for the State to pursue in the employment of prison convict labor, it is well to enquire concerning results of different systems of employing convict labor adopted by other States, that we may profit by their experience. From reports made by wardens and inspectors of State prisons of other States, your committee have gathered the following facts: Illinois tried the public account system for four years and five months, and Warden McLaughry says of its history in the prison at Joliet, that "the institution had had appropriations to the amount of \$694,000, was in debt \$374,699.95, and fell short of being self-sustaining \$544,699.95; an additional appropriation of \$175,000 was granted to meet that indebtedness, the balance being paid by sales of surplus property."

In New York, prior to 1876, the systems of prison labor were both public account and contract, and resulted in an aggregate deficiency amounting to \$9,145,717.56. Since 1876 the prison labor in that State has been performed by contract, and has been nearly self-sustaining. From all that your committee has been able to learn, it appears that the contract system of labor in the prisons of the States of New York, New Hampshire, Connecticut, Ohio, Michigan, Indiana, Illinois, Wisconsin, Minnesota, Iowa, and Missouri have been nearly, if not quite self-sustaining.

A popular clamor in the States of New York and Ohio, induced those States a year ago to substitute the public account for the contract system, a change which has thrown out of employment a large number of persons, and the wardens of Sing-Sing prison, New York, and also of the Ohio penitentiary, say that "unless the legislatures of their respective States make large appropriations, nearly all of their prisoners will be unemployed." The wardens of those prisons, together with the wardens of the prisons of Illinois and Missouri, estimate that \$1,000 per convict will be required from the State as an investment wherever the public account system is adopted. Your committee further find from an examination of statistics that the percentage of convicts in the prisons of the United States who are employed in mechanical labor, to the citizens employed in corresponding industries, is as one to sixty-two, while the relative efficiency of convict labor is much less than that of free labor.

In view, then, of the smallness of the number of convicts who are engaged in mechanical labor, compared to the citizens engaged in like industries, no fears need be entertained of any preceptible injurious effects upon the interests of free labor.

And finally, your committee reaffirm the incontrovertible truth that the *manufacture* of articles, without regard to the *particular system* by which they are produced, determines the question of competition, and that prices of manufactured articles are governed by the inflexible law of supply and demand, and believe that no radical change or innovation in the long-established policy of the State, in the employment of prison labor is desirable or expedient.

S. F. BROWN, *Chairman*.

O. G. PENNELL.

Report accepted.

By unanimous consent, the following minority report was received and ordered spread upon the Journal.

#### MINORITY REPORT.

I have no hesitancy in concurring with the majority of our committee in the views expressed in their report this day submitted, with the exceptions of the questions relating to the systems of the employment of our convict labor.

I believe in the abolition of the contract system in whole or in part, and believe we are in as good condition to take the initiative steps to eventually successfully accomplish this as we will ever be. The present existing contracts cannot be terminated save only as they expire by the terms of the contract, and this is at different dates in the future. Meantime appropriations could be made and placed to the credit of a State fund from which the proper prison authorities might draw for the purchase from time to time of the necessary machinery and materials to engage the time and labor of the convicts from the expiring contracts. I believe the right to enter into new contracts on the part of prison officials should be denied by enactment of this Legislature, and an appropriation made to at least employ, on behalf of the State, such convicts as are not already contracted for at least for two or four years, believing it will best subserve the general interest of the State, and eventually lead to a system less open to criticism than our present system is subjected to.

C. R. HENRY.

## MESSAGES FROM THE GOVERNOR.

The President announced the following :

EXECUTIVE OFFICE, }  
Lansing, March 5, 1885. }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State,

An act to reincorporate the village of Imlay City in the county of Lapeer, and to repeal act No. 323, session laws of 1873 as amended by act No. 323, session laws of 1875, incorporating said village;

Also,

An act to reincorporate the village of Armada, in the county of Macomb.

RUSSELL A. ALGER,  
Governor.

The message was laid on the table.

## MESSAGES FROM THE HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 5, 1885. }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 159 (File No. 72), entitled

A bill to prohibit and to regulate the removal of certain civil causes to the Supreme court, where the matter in controversy is less than one hundred dollars;

2. House bill No. 225 (file No. 114), entitled

A bill to repeal sections 4 and 7 of an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1875, designated as sections 2166 and 2169, chapter 63, of the general statutes in force;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
Clerk of the House of Representatives.

The first named bill was read a first and second time by its title and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on fisheries.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 5, 1885. }

*To the President of the Senate :*

SIR,—I am instructed by the House to transmit the following bills:

1. House bill No. 336 (File No. 154), entitled

A bill to re-incorporate the city of Cadillac and to repeal act No. 254 of the session laws of 1877, entitled "An act to incorporate the city of Cadillac and repeal act No. 336 of the session laws of 1875," approved April 22, 1875, and act No. 304 of the session laws of 1879, entitled "An act to amend section 1 of act No. 254 of the session laws of 1877," approved March 20, 1877, entitled

"An act to incorporate the city of Cadillac and repeal act No. 336 of the session laws of 1875," approved April 22, 1875;

2. House bill No. 257 (File No. 112), entitled:

A bill to amend section 1 of an act to establish a police force in the township of Grand Rapids, being act No. 289 of the local acts of 1877;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and

On motion of Mr. Phelps,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hubbell,	Mr. Phelps,
Belknap,	Edwards.	Hueston,	Sherwood,
Brown,	Francis,	Kempf,	Smith, G. A.,
Carpenter,	Greiner,	Manwaring,	Smith, S. W.,
Carveth,	Heisterman,	Monroe,	Spencer,
Cline,	Henry,	Moon,	Stephenson,
Curtiss,	Hertzler,	Pennell,	Woodruff, 28

#### NAYS.

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Title agreed to.

On motion of Mr. Phelps,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The second named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The President also announced the following:

HOUSE OF REPRESENTATIVES, {  
Lansing, March 5, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to inform the Senate that the following named gentlemen have been appointed a committee of the House to whom all bills relating to the apportionment of the State into representative districts will be referred:

*First district*—Mr. Brandon.

*Second district*—Mr. Sutton.

*Third district*—Mr. Swift.

*Fourth district*—Mr. Brown.

*Fifth district*—Mr. Sellers.

*Sixth district*—Mr. Coleman.

*Seventh district*—Mr. Manwaring.

*Eighth district*—Mr. Estee.

*Ninth district*—Mr. Wilson.

*Tenth district*—Mr. Hampton.



*Eleventh district*—Mr. A. T. Case.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The message was laid on the table.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 4, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 188 (File No. 116), entitled

A bill to detach certain territory from the present township of Roscommon, in the county of Roscommon, and to attach the same to the township of Nestor, in said county;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on counties and townships.

#### MOTIONS AND RESOLUTIONS.

Mr. Carveth moved to take from the table

Senate bill No. 412, entitled

A bill to provide for the preparation and publication of an index to the general laws;

Which motion prevailed.

On motion of Mr. Carveth,

The bill was referred to the committee on the judiciary.

Mr. Hubbell moved that the committee of the whole be discharged from the further consideration of

House bill No. 126, entitled

A bill to provide for the payment of the expenses of the Michigan exhibit at the New Orleans Exposition;

Which motion prevailed.

On motion of Mr. Hubbell,

The bill was placed on the order of third reading of bills.

#### THIRD READING OF BILLS.

Senate bill No. 36 (File No. 86), entitled

A bill for the relief of purchasers and settlers on swamp land;

Pending the third reading thereof;

On motion of Mr. Carveth,

The bill was laid on the table.

Senate bill No. 75 (File No. 57), entitled

A bill to amend section 17 of chapter 175 of an act entitled "An act to define the limits, jurisdiction, and powers of circuit courts," of the compiled

laws of 1871, being compiler's section 6474 of Howell's Annotated Statutes, relative to the sum to be paid by parties demanding a jury,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Belknap, Carpenter, Carveth, Davenport, Greiner,	Mr. Hertzler, Hueston, Kempf, Manwaring,	Mr. Monroe, Moon, Pennell, Phelps,	Mr. Shoemaker, Smith, G. A., Spencer, Stephenson,
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## NAYS.

Mr. Cline, Curtiss, Davis,	Mr. Edwards, Francis, Heisterman,	Mr. Henry, Hubbell, Pulver,	Mr. Sherwood, Smith, S. W., Woodruff,
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Title agreed to.

Senate bill No. 126 (File No. 58), entitled

A bill to amend section 7612 of compiled laws of 1871, relative to the protection of land, and punishment for cutting and carrying away timber therefrom,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Belknap, Brown, Carpenter, Carveth, Curtis, Davenport, Davis,	Mr. Edwards, Francis, Greiner, Heisterman, Hertzler, Hubbell, Hueston,	Mr. Kempf, Manwaring, Monroe, Moon, Pennell, Phelps, Sherwood,	Mr. Shoemaker, Smith, G. A., Smith, S. W., Spencer, Stephenson, Woodruff,
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27

## NAYS.

Mr. Cline,	Mr. Henry,	2
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Title agreed to.

House bill No. 126, entitled

A bill to provide for the payment of the expense of the Michigan exhibit at the New Orleans exposition.

Was read a third time and passed, two-thirds of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin, Belknap, Brown, Carveth, Cline, Curtiss,	Mr. Davis, Francis, Heisterman, Henry, Hertzler, Hubbell,	Mr. Hueston, Monroe, Moon, Phelps, Pulver,	Mr. Sherwood, Smith, G. A., Smith, S. W., Spencer, Stephenson,
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22

## NAYS.

Mr. Carpenter, Edwards,	Mr. Kempf, Manwaring,	Mr. Pennell,	Mr. Woodruff,
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6

Title agreed to.

On motion of Mr. Hubbell,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

GENERAL ORDER.

On motion of Mr. Monroe,

The Senate went into committee of the whole on the general order,  
Mr. Sherwood in the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following:

1. Senate bill No. 137 (File No. 95), entitled

A bill to incorporate the village of Ontonagon, in the township of Ontonagon, county of Ontonagon, and State of Michigan;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend its passage.

The committee of the whole have also had under consideration the following:

2. Senate bill No. 21 (File No. 34), entitled

A bill to amend section 6856 of Howell's Annotated Statutes, relating to jurisdiction of justices of the peace;

3. House bill No. 96 (File No. 28), entitled

A bill to amend section one of act No. 251 of the session laws of 1881, being section 2198 of Howell's Annotated Statutes, relative to the protection of game;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following:

Senate bill No. 61 (File No. 46), entitled

A bill to provide for the finding and return of verdicts by a less number than twelve jurors in the trial of civil cases in courts of record in this State;

Have directed their chairman to report the same back to the Senate, with the recommendation that the bill be laid on the table.

HARVEY SHERWOOD, *Chairman.*

Report accepted and committee discharged.

The first named bill was placed on the order of third reading of bills.

On motion of Mr. Sherwood,

The Senate concurred in the amendments made to the second named bills, and the same were placed on the order of third reading of bills.

On motion of Mr. Sherwood,

The Senate concurred in the recommendation of the committee as to the third named bill, and the same was laid on the table.

On motion of Mr. Manwaring,

The Senate adjourned.

*Lansing, Friday, March 6, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.  
Prayer by the Rev. Mr. Franklin.

Roll called: a quorum present.

Absent without leave: Senator Sherwood.

Mr. Moon asked and obtained leave of absence for Mr. Sherwood for the day.

Mr. Heisterman asked and obtained leave of absence for himself for one week.

#### PETITIONS.

No. 227. By Mr. Curtiss: Remonstrance of Thomas D. Gilbert, J. C. Fitzgerald, D. P. Clay, and 25 others, against increasing the number of wards in the city of Grand Rapids;

Referred to the committee on cities and villages.

No. 228. By Mr. Edwards: Petition of C. I. Rathburn and 99 other citizens of Fremont, Newaygo county, for the establishment of a soldiers' home for disabled soldiers, sailors, and marines in the State of Michigan.

No. 229. By Mr. G. A. Smith: Petition of L. P. Batchelder, P. P. Sharpe, and 40 others of Hillsdale county, for the same object.

The two petitions were referred to the committee on military affairs.

No. 230. By Mr. S. W. Smith: The Albion Milling Company, Mr. Hayden, and 40 others, asking for the passage of an act requiring railroad corporations to assume responsibility in transportation and delivery of grain;

Referred to the committee on railroads.

No. 231. By Mr. S. W. Smith: Petition of E. R. Mathews, and 263 others, of Oakland county for liberal appropriations be made to facilitate the work of the fish commission;

Referred to the committee on fisheries.

No. 232. By the same: Petition of W. O. D. of Holly, Michigan, for the passage of a soldiers' bounty bill;

Referred to the committee on military affairs.

No. 233. By Hneston: Petition of Richard Daken, C. H. Scott, S. D. Smith, and 90 others, for a soldiers' home in Michigan;

Referred to the committee on military affairs.

No. 234. By Mr. Pennell: Petition of Sylvester Larned, Levi T. Griffin, and many others of Detroit bar, to amend House bill No. 77, relative to justices' courts in the city of Detroit;

Referred to the committee on the judiciary.

No. 235. By Mr. Brown: Petition of E. Lakin Brown, J. T. Cobb, and 73 others of Kalamazoo county, for the passage of a law regulating the liquor traffic, so that the tax from the business shall go towards supporting the township and the county poor and public schools.

No. 236. By Mr. Brown: Petition of J. T. Hay and 33 others of Cass county for the same object.

The two petitions were referred to the committee on liquor traffic.

## REPORTS OF STANDING COMMITTEES.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred  
Senate bill No. 194, entitled

A bill to amend the charter of the city of Kalamazoo, being act No. 337 of the session laws of 1883, entitled "An act to incorporate the city of Kalamazoo," and to repeal an act entitled "An act to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts," approved March 16, 1861, as amended by the several acts amendatory thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it be printed and recommitted to the committee.

WM. H. FRANCOIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Francis,

The bill was ordered printed and re-referred to the committee.

By the committee on the State house of correction:

The committee on State house of correction, to whom was referred

House bill No. 138 (File No. 80), entitled

A bill to amend section 53 of an act entitled "An act to regulate and govern the State House of Correction and Reformatory at Ionia," approved May 22, 1877, and to add a new section thereto to stand as section 65,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

G. A. SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. G. A. Smith,

The Senate concurred in the amendments made to the bill by the committee.

On motion of Mr. G. A. Smith,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hertzler,	Mr. Phelps,
Belknap,	Davis,	Kempf,	Smith, G. A.,
Brown,	Edwards,	Manwaring,	Spencer,
Carpenter,	Francis,	Monroe,	Stephenson,
Cline,	Greiner,	Moen,	Woodruff,
Curtiss,	Henry,		

22

## NAYS.

0

The question being on agreeing to the title,

Mr. G. A. Smith moved to amend the title as follows:

By striking out the word "sixty-five" and inserting in lieu thereof the word "sixty-seven;"

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. G. A. Smith,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committees on State house of correction and appropriation and finance:

The committees on State house of correction, and appropriation and finance, to whom was referred jointly

Senate bill No. 221, entitled

A bill to provide for heating, finishing, and furnishing of the asylum of insane criminals,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

G. A. SMITH,

*Chairman of both committees,*

Report accepted and committee discharged.

On motion of Mr. G. A. Smith.

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 143, entitled

A bill to provide for continuance of actions in justice courts,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 128, entitled

A bill to establish a recorder's court for the city of Kalamazoo, and to define the jurisdiction of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it be printed and re-committed to the committee on judiciary.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was ordered printed, and re-referred to the committee.

By the committee on State public school:

The committee on State public school, in compliance with a resolution of the Senate of January 30, asking "That each one of the several committees on State institutions be and they are hereby instructed to report to the Senate at as early a day as practicable the average daily attendance of the inmates of the institution, and the average daily cost to the State for each inmate of the following items: Fuel, books, furniture, food, amusements, bedding, salaries, light, medicine, and clothing; and the total daily average cost of maintenance,"

Would respectfully submit the following statement for the year 1883-4 :

Average daily attendance.....	318
Average daily cost per inmate for fuel.....	\$0.042
Average daily cost per inmate for books (not including purchase made for library, from special appropriation).....	.00038
Average daily cost per inmate for furniture.....	.0052
Average daily cost per inmate for food.....	.6552
Average daily cost per inmate for amusements.....	.0001
Average daily cost per inmate for bedding.....	.0018
Average daily cost per inmate for salaries.....	.113
Average daily cost per inmate for light.....	.00029
Average daily cost per inmate for medicine.....	.0026
Average daily cost per inmate for clothing.....	.0256

Total daily cost per inmate for the items above named.....	<u>\$0.4612</u>
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Total daily cost per inmate for all current expenses.....	<u>\$0.332</u>
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All of which is respectfully submitted,

C. R. HENRY,

*Chairman Committee on State Public School.*

Report accepted.

#### MESSAGES FROM THE HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, March 6, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 403, entitled  
A bill to incorporate the village of Sandusky, Sanilac county, Mich. ;
2. House bill No. 131, entitled  
A bill to amend section 6 of title 3 of the charter of the city of Lansing ;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and

On motion of Mr. Oline,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hertzler,	Mr. Phelps,
Belknap,	Davis,	Kempf,	Shoemaker,
Brown,	Edwards,	Manwaring,	Smith, G. A.,
Carpenter,	Francis,	Monroe,	Spencer,
Cline,	Greiner,	Moon,	Stephenson,
Curtiss,	Henry,	Pennell,	Woodruff, 24

## NAYS.

0

Title agreed to.

On motion of Mr. Cline,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The second named bill was read a first and second time by its title, and

On motion of Mr. Pennell,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hertzler,	Mr. Phelps,
Belknap,	Davis,	Kempf,	Shoemaker,
Brown,	Edwards,	Manwaring,	Spencer,
Carpenter,	Francis,	Monroe,	Stephenson,
Cline,	Greiner,	Moon,	Woodruff,
Curtiss,	Henry,	Pennell,	23

## NAYS.

0

Title agreed to.

On motion of Mr. Pennell,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

## MOTIONS AND RESOLUTIONS.

Mr. Woodruff offered the following resolution:

*Resolved*, That a respectful message be sent to House of Representatives for the return to the Senate of

House bill No. 126, entitled

A bill to provide for the payment of the expenses of the Michigan exhibit at the New Orleans exposition;

Which was adopted.

Mr. Henry moved that the rules be suspended, and the committee of the whole be discharged from the further consideration of

House bill No. 162 (File No. 68), entitled

A bill to detach the county of Ogemaw from the eighteenth judicial circuit, and attach the same to the twenty-third judicial circuit;

Which motion prevailed.

On motion of Mr. Henry,

The bill was placed on the order of third reading of bills.

## THIRD READING OF BILLS.

Senate bill No. 137 (File No. 59), entitled

A bill to incorporate the village of Ontonagon, in the township of Ontonagon, county of Ontonagon, and State of Michigan,



Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hertzler,	Mr. Phelps,
Belknap,	Davis,	Kempf,	Shoemaker,
Brown,	Edwards,	Manwaring,	Smith, G. A.,
Carpenter,	Francis,	Monroe,	Spencer,
Cline,	Greiner,	Moon,	Stephenson,
Curtiss,	Henry,	Pennell,	Woodruff, 24

## NAYS.

0

Title agreed to.

On motion of Mr. Stephenson,

By a vote of two-thirds of the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 27 (File No. 34), entitled

A bill to amend section 6856 of Howell's Annotated Statutes, relating to jurisdiction of justices of the peace.

Pending the reading of the bill,

On motion of Mr. Pulver,

The bill was laid on the table.

House bill No. 96 (File No. 28), entitled

A bill to amend section 1 of act No. 251 of the session laws of 1891, being section 2198 of Howell's Annotated Statutes.

Pending the reading of the bill,

On motion of Mr. Woodruff,

The bill was laid on the table.

House bill No. 162 (File No. 68), entitled

A bill to detach the county of Ogemaw from the 18th judicial circuit, and attach the same to the 23d judicial circuit,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hertzler,	Mr. Phelps,
Belknap,	Davis,	Kempf,	Shoemaker,
Brown,	Edwards,	Manwaring,	Smith, G. A.,
Carpenter,	Francis,	Monroe,	Spencer,
Cline,	Greiner,	Moon,	Stephenson,
Curtiss,	Henry,	Pennell,	Woodruff, 24

## NAYS.

0

Title agreed to.

On motion of Mr. Belknap.

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

## GENERAL ORDER.

On motion of Mr. Hertzler,

The Senate went into committee of the whole on the general order,

Mr. Shoemaker in the chair.

After some time spent therein, the committee rose, and, through their chairman, made the following report:

The committee of whole have had under consideration the following :

1. House bill No. 121 (File No. 54) entitled

A bill providing for an exemption from poll-tax of discharged soldiers, sailors, and marines, resident in the State of Michigan;

2. House bill No. 249 (File No. 86), entitled

A bill to authorize the board of supervisors of the county of St. Joseph to dispose of the proceeds of the sale of their poor farm;

3. Senate joint resolution No. 22 (File No. 7), entitled

Joint resolution to authorize and provide for lighting the capitol building and grounds by electric light;

4. House joint resolution No. 13 (File No. 8), entitled

A joint resolution authorizing the Governor to issue a patent to William H. Gorton, for the northeast quarter of the northeast quarter of section 16, township 4 north, range 13 west, Michigan, the same being primary school lands;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

The committee of the whole have also had under consideration the following:

5. Senate bill No. 45 (File No. 23), entitled

A bill amending section 9199 of Howell's Annotated Statutes, relative to breaking locks and chains attached to boats;

6. House joint resolution No. 11 (File 5), entitled

Joint resolution requesting our Senators and Representatives in Congress to use their best endeavors to secure such legislation by Congress as will result in the establishment of a harbor of refuge at Ludington and also secure an appropriation for that purpose in consonance with a report of the board of engineers detailed by the war department at Washington for that purpose;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following:

7. Senate bill No. 62 (File No. 47), entitled

A bill to provide for the finding and return of verdicts by a less number than six jurors in trial of cases in justice courts in this State;

8. Senate joint resolution No. 4 (File No. 5), entitled

Joint resolution proposing an amendment to article 4 of the constitution of this State relative to the prohibition of the manufacture and sale of spirituous, malt, and vinous liquors, and the rights of property therein, except for mechanical, medicinal, chemical, or scientific purposes, by adding a new section thereto, to stand as section 49;

9. Senate bill No. 11 (File No. 19), entitled

A bill to incorporate the village of Manistique;

Have directed their chairman to report the same back to the Senate with the recommendation that the joint resolution and bill be laid on the table.

M. SHOEMAKER, *Chairman*.

Report accepted and committee discharged.

The first four named bills and joint resolutions were placed on the order of third reading of bills.

On motion of Mr. Shoemaker,

The Senate concurred in the amendments made by the committee to the

second named bills and joint resolution, and the same were placed on the order of third reading of bills.

On motion of Mr. Shoemaker,

The third named bills and joint resolution were laid on the table.

On motion of Mr. Hubbell,

The Senate took a recess until 7:30 o'clock P. M.

#### — EVENING SESSION.

7:30 o'clock P. M.

The Senate met, and was called to order by the President.

Roll called : a quorum present.

#### PETITIONS.

No. 237. By Mr. Stephenson : Petition of W. H. Rood, James H. Durham, E. B. Howard, and 15 other residents and tax-payers of Deer Lake, Marquette county, for a State prison in the upper peninsula ;

Referred to committee on State affairs.

#### MESSAGES FROM THE HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 6, 1885.* }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following bill :

House bill No. 300 (File No. 121), entitled

A bill to amend sections 1 and 2 of title 9 of an act entitled "An act to revise the charter of the city of Grand Rapids, being amendatory of an act entitled "An act to incorporate the city of Grand Rapids," approved April 2, 1850, as amended by the several acts amendatory thereof, approved March 29, 1877, as amended by act No. 379 of the session laws of 1879, approved May 23, 1879, as amended by act No. 365 of the session laws of 1881, approved April 29, 1881 ;

Which has passed the House by a majority vote of all the members elect and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on cities and villages.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 6, 1885.* }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following joint resolution :

House joint resolution No. 15 (File No. 11), entitled

Joint resolution to authorize the issue of a patent to Ezra Jones upon primary school land certificate number 144;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The joint resolution was read a first and second time by its title and referred to the committee on public lands.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 6, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 506, entitled

A bill to detach certain territory from the township of Kawkawlin and attach the same to the township of Monitor in Bay county;

2. House bill No. 277 (File No. 119), entitled

A bill to prohibit all fishing with nets in Black River Lake, Black River, and in the streams tributary to said lake in Ottawa county, and Kalamazoo Lake and Kalamazoo River, in Allegan county;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on counties and townships.

The second named bill was read a first and second time by its title and referred to the committee on fisheries.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 6, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 295 (File No. 115), entitled

A bill to provide for the challenge of talesmen in justices' courts.

2. House bill No. 640, entitled

A bill to detach certain territory in the township of Middlebury, in Shiawassee county, and attach the same to the township of Ovid, in Clinton county.

3. House bill No. 255 (File No. 117), entitled

A bill to provide for the inspection of commercial fertilizers and to regulate the sale thereof;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on counties and townships.

The third bill was read a first and second time by its title, and referred to the committee on agricultural interests.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 6, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 302 (File No. 110), entitled

A bill to repeal act No. 11, session laws of 1869, approved February 19, 1869, entitled "An act relating to interests upon installments falling due upon written contracts;"

2. House bill No. 226 (File No. 118), entitled

A bill to amend section 3 of an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, designated as section 2165, chapter 63, of the general statutes in force;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title and referred to the committee on fisheries.

#### MOTIONS AND RESOLUTIONS.

Mr. Shoemaker offered the following:

WHEREAS, The Auditor General is required by law to make to the Legislature at its session in January "a complete statement of the funds of the State, and of the revenue thereof, and of the amount of salaries of the officers of government, and of other contingent expenses, and other appropriations," and

WHEREAS, such report is necessary for the intelligent action of the Legislature in making appropriations for the State institutions, and for other purposes,

AND WHEREAS, No such report has been made to this Legislature, therefore

*Resolved*, That the Auditor General be requested to inform the Senate why no such report has been made to the Legislature at the present session;

Which was adopted.

#### GENERAL ORDER.

In motion of Mr. Carveth,

The Senate went into the committee of the whole, on the general order.

Mr. Pulver in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following:

1. House bill No. 202, entitled

A bill to amend chapter 5 of an act entitled "An act to incorporate the city of Ishpeming, in the county of Marquette," approved April 10, 1873, adding thereto three new sections, and to add thereto one new chapter to stand as chapter 15;

2. Senate bill No. 89 (File No. 49), entitled

A bill to amend section 44 of chapter 46 of the compiled laws of 1871, being compiler's section 1735, and being also section 1676 of Howell's Annotated Statutes relative to public health;

3. House bill No. 110 (File No. 37), entitled

A bill to provide for the payment of certain drain taxes apportioned on State lands, in accordance with the provisions of section 21 of act No. 269, session laws of 1881;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

The committee of the whole have also had under consideration the following:

4. Senate bill No. 256 (File No. 73), entitled

A bill to incorporate the public schools of Albion;

5. House bill No. 20, entitled

A bill to amend and to repeal certain sections of the charter of the city of Negaunee, Marquette county;

6. Senate bill No. 53 (File No. 35), entitled

A bill prohibiting judges of courts of records or justices sitting in cases when they are related to any attorney, counsellor, or solicitor in the case;

Have sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

H. H. PULVER, *Chairman*.

Report accepted and committee discharged.

The first named bills were placed on the order of third reading of bills.

On motion of Mr. Pulver,

The Senate concurred in the amendments made to the second named bills by the committee, and the bills were placed on the order of third reading of bills.

On motion of Mr. Stephenson,

The rules were suspended, and

House bill No. 20, entitled

A bill to amend and to repeal certain sections of the charter of the city of Negaunee, Marquette county,

Was placed upon its immediate passage.

The bill was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Monroe,	Mr. Shoemaker,
Brown,	Edwards,	Moon,	Smith; S. W.,
Carpenter,	Francis,	Pennell,	Spencer,
Carveth,	Hertzer,	Phelps,	Stephenson,
Cline,	Hubbell,	Pulver,	Woodruff,
Curtiss,	Hueston,		

## NAYS.

0

Title agreed to.

On motion of Mr. Stephenson,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

On motion of Mr. Stephenson,

The rules were suspended, and

House bill No. 202, entitled

A bill to amend chapter 5 of an act entitled "an act to incorporate the city of Ishpeming, in the county of Marquette,," approved April 10, 1873, adding thereto three new sections, and to add thereto one new chapter, to stand as chapter 15.

Was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hueston,	Mr. Shoemaker,	
Brown,	Edwards,	Monroe,	Smith, S. W.	
Carpenter,	Francis,	Moon,	Spencer,	
Carveth,	Greiner,	Pennell,	Stephenson,	
Cline,	Hertzler,	Phelps,	Woodruff,	
Curtiss,	Hubbell,	Pulver,		23

## NAYS.

0

Title agreed to.

On motion of Mr. Stephenson,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

On motion of Mr. Austin,

The rules were suspended, and

Senate bill No. 256 (File No. 73), entitled

A bill to incorporate the public schools of Albion,

Was placed on its immediate passage,

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hueston,	Mr. Shoemaker,	
Brown,	Edwards,	Monroe,	Smith, S. W.,	
Carpenter,	Francis,	Moon,	Spencer,	
Carveth,	Greiner,	Pennell,	Stephenson,	
Cline,	Hertzler,	Phelps,	Woodruff,	
Curtiss,	Hubbell,	Pulver,		23

## NAYS.

0

Title agrees to.

On motion of Mr. Austin,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By unanimous consent the Senate took up the order of

## PRESENTATION OF PETITIONS.

No. 238. By Mr. Hubbell: Petition of Edward Ryan, George Ruppee, George Weston, and 52 other citizens of Hancock, for the establishment of a school of mines in the upper peninsula;

Referred to the committee on State affairs.

No. 239. By the same: Petition of J. R. Cooper, Geo. Midlemas, and 153 citizens of Hancock, for the same;

Referred to the committee on State affairs.

On motion of Mr. Pulver,

The Senate adjourned until Monday at 9 o'clock P. M.

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*Lansing, Monday, March 9, 1885.*

The Senate met and was called to order by the President at 9 o'clock P. M.  
Roll called; a quorum not present.

Absent without leave. Senators Belknap, Carpenter, Carveth, Cline, Curtiss, Davenport, Davis, Greiner, Henry, Hertzler, Hueston, Manwaring, Monroe, Moon, Spencer.

On motion of Mr. Pulver,

The Senate adjourned.

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*Lansing, Tuesday, March 10, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.

Prayer by Rev. Mr. Taylor.

Roll called: a quorum present.

Absent without leave: Senators Cline, Greiner, Moon, and G. A. Smith.

Mr. S. W. Smith asked and obtained leave of absence for Messrs. Greiner and G. A. Smith for the day.

Mr. Manwaring asked and obtained leave of absence for Mr. Cline for the day.

Mr. Kempf asked and obtained leave of absence for Mr. Moon for the day.

On motion of Mr. Monroe,

The Senate took a recess until 7 o'clock P. M.



## EVENING SESSION.

7:30 o'clock P. M.

The Senate met and was called to order by the President.

Roll called : a quorum present.

## PETITIONS.

No. 239. By Mr. Belknap : Petition of Mrs. Flora Sanborn and 16 others of Three Oaks in favor of municipal suffrage for women ;

Referred to committee on the judiciary.

No. 240. By Mr. Henry : Remonstrance of L. P. Soper and 125 other citizens of Alpena against the passage of House bill, entitled "A bill to detach certain territory from the township of Alpena, in the county of Alpena, and to organize the same into a new township, to be called the township of Long Lake."

Referred to the committee on counties and townships.

No. 241. By Mr. Hawley : Petition of Joseph H. Olixby and 134 other citizens for the annexation of a portion of Springwells to Detroit.

No. 242. By the same : Petition of Benj. R. Hoyt and 162 others for the same object.

No. 243. By the same : Petition of the Water Commissioners of Detroit for the annexation of the site of their pumping works to Detroit.

The three petitions were referred to the committee on cities and villages.

No. 244. By Mr. Hubbell : Petition of the Huron Copper Co., Vivian, Vivian and Prince, and 13 others, in favor of enlarging the limits of school district No. 1, in Portage township, in Houghton county.

Referred to the committee on education and public schools.

No. 245. By Mr. Hubbell ; Remonstrance of petitioners named in petition No. 244, against the passage of the bill to detach certain land from the township of Portage and attach it to the township of Adams in Houghton county ;

Referred to committee on counties and townships.

No. 246. By Mr. Stephenson : Petition of William Holmes, G. F. Brown, and 142 other citizens of Crystal Falls, Marquette county, for a State Prison and House of Correction in the Upper Peninsula ;

Referred to committee on State affairs.

No. 247. By Mr. Hertzler : Remonstrance of P. H. Mathews and 75 others of Monroe city against making the office of register of deeds a salaried office ;

Referred to committee on State affairs.

No. 248. By Mr. Davenport : Remonstrance of O. J. Hetherington, F. Buicker, H. M. Youmans, and 340 citizens of East Saginaw, relative to House File No. 92, "To prohibit the teaching of languages other than English in primary schools in this State except in certain cases ;"

Referred to the committee on education and public schools.

No. 249. By Mr. Curtiss : Petition of James Hennessy, Amos D. Green, D. S. Gilmore, and 100 others, for the passage of House bills No. 10, 11, 66, 83, 130, and 144, to abolish the contract system in our prisons.

No. 250. By the same : Petition of Daniel Viergevar, Alexander McKay, W. W. Spencer, and 127 others, for the same object.

No. 251. By the same : Petition of F. J. Taylor, John M. James, Josiah H. Tibbits, and 34 others, for the same object.

The three petitions were referred to the committees on State prison and labor jointly.

No. 252. By Mr. Edwards: Petition of F. S. Caldwell and 101 other citizens of Cass county, in legislation prohibiting sale of intoxicating liquors within five miles of the University at Ann Arbor;

The petition was referred to the committee on the university and ordered printed in the Journal.

The following is the petition:

*To the Honorable, the Senate and House of Representatives of the State of Michigan:*

The undersigned, citizens of said State, respectfully petition your honorable body to provide by law that alcoholic or intoxicating liquors shall not be sold nor kept for sale, nor given away as a beverage, at any place within five miles of the University of the State of Michigan.

Your petitioners would respectfully represent that some such additional provision is needed to secure the important object had in view by your predecessors in office in prohibiting the sale of such liquors to students, the enforcement of said prohibition being very difficult if not impossible in the midst of from 30 to 40 saloons on the streets and around the postoffice of Ann Arbor. Your petitions believe that the full inhibition herein asked for would be easier of enforcement than the partial now existing.

The University and the citizens of Ann Arbor and vicinity are mutually interested in this matter; and it is believed that both parties would co-operate in the inforcement of the inhibition asked for in our petition, and so remove a serious hindrance to the usefulness of the University which the State has endowed and maintained with wise and generous munificence.

So far as we know a provision similar to that asked for by your petitioners has proved beneficial to the Military Academy at Orchard Lake; and it seems to us that the greater and more varied interests of our State University demand such prudent protection.

No. 253. By Mr. Brown: Petition of T. E. Clapp and 150 others of White Pigeon, for the establishment of a Soldiers' Home in Michigan;

Referred to the committee on State affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 180, entitled

A bill amendatory of section 2, chapter 262 of the compiled laws of 1871, relative to settling and return of exceptions in criminal causes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 71, entitled

A bill to repeal sections 6474 and 6475 of Howell's Annotated Statutes of

this State, being continuous sections 4953 and 4954 of the compiled laws of 1871, relative to the payment of entry and jury fees in circuit courts,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 72, entitled

A bill to repeal act number 193 of the public acts of 1883, being continuous sections 8749a, 8749b, 8749c, 8749d, 8749e, 8749f, 8749g, 8749h, 8749i, 8749j, 8749k, and 8749l, being an act to prevent debtors from giving preference to creditors, and to secure the equal distribution of the property of debtors among their creditors, and for the release of debts against debtors.

Respectfully report that they have had the same under consideration, and directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 98, entitled

A bill to secure to women citizens who are otherwise qualified the right to vote in school, town, city, and other municipal elections,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and without recommendation as to its passage, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Belknap,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 144, entitled

A bill to provide a pension on the retirement or resignation of judges of the State courts at the age of seventy years, and of twenty years' service.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and without recommendation as to its passage, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 162, entitled

A bill to amend chapter 245 of the compiled laws of 1871, being chapter 318 of title 34 of Howell's Annotated Statutes, relative to offenses against property, and to stand as section 9177,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate with the accompanying substitute therefor, entitled

A bill to amend chapter 245 of the compiled laws of 1871, being chapter 318 of title 34 of Howell's Annotated Statutes, relative to offenses against property, and to stand as section 9176a,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the adoption of the substitute reported for the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public health:

The committee on public health to whom was referred

Senate bill No. 338, entitled

A bill to amend certain enumerated sections of an act entitled "An act to revise and consolidate the laws of this State providing for the drainage of swamps, marshes, and other low lands, and to repeal the acts of March 22, 1869, and April 13, 1871, known as the county drain law and the township drain law, being act No. 267 of the session laws of 1881," approved June 11, 1881,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, without amendment, and recommend that it be printed for the use of the committee.

JAMES HUESTON, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hueston,

The bill was ordered printed, and re-referred to the committee.

By the committee on cities and villages:

The committee on cities and villages to whom was referred

Senate bill No. 186, entitled

A bill to incorporate the village of Brockway Centre,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying substitute therefor, entitled

A bill to incorporate the village of Brockway Centre,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCOIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the adoption of the substitute reported for the bill by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

Senate bill No. 269, entitled

A bill to re-incorporate the village of Au Sable in Iosco county,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 578, entitled

A bill to amend section 2 of act No. 65 of the session laws of 1871, approved April 13, 1871, as amended by act No. 302 of the session laws of 1883, approved May, 1883, relative to the charter of the village of Dundee,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages to whom was referred

Senate bill No. 267, entitled

A bill to incorporate the village of Attica, Lapeer county,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

Senate bill No. 224, entitled

A bill to amend sections 5, 8, and 33 of act No. 372 of session laws of 1867, entitled "An act to revise the charter of the city of Flint," approved March 20, 1867, and the acts amendatory thereof,

Respectfully report that they have had the same under consideration, and, have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred.

Senate bill No. 241, entitled

A bill to amend sections 7, 67, 68, 69, 70, 75, 145, 147, 148, and 150 of act No. 192 of the session laws of 1861, entitled "An act to incorporate the city of Pontiac," approved March 15, 1861, as amended by the several acts amendatory thereof,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate and ask to have the same printed and recommitted to the committee.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Francis,

The bill was ordered printed and referred to the committee.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

Senate bill No. 146, entitled

A bill to incorporate the village of Frankfort, in Benzie county,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

#### COMMUNICATIONS FROM STATE OFFICERS.

The President announced the following:

AUDITOR GENERAL'S OFFICE, }  
Lansing, March 10, 1885. }

HON. A. BUTTARS, *President of the Senate:*

I am in receipt of the following preamble and resolution adopted by the Senate March 6:

WHEREAS, The Auditor General is required by law to make to the Legislature at its session in January "a complete statement of the funds of the State, and of the revenue thereof, and the amount of salaries of the officers of government, and of other contingent expenses, and other appropriations,

AND WHEREAS, Such report is necessary for the intelligent action of the Legislature in making appropriations for the State institutions, and for other purposes,

AND WHEREAS, No such report has been made to this Legislature, therefore

*Resolved*, That the Auditor General be requested to inform the Senate why no such report has been made to the Legislature at the present session.

Replying thereto I would respectfully submit the following:

Compiler's section 279 of Howell's Statutes, which the honorable Senator who offered the resolution evidently had in mind, reads as follows:

"The Auditor General shall make to the Legislature, at its session in January in each year, and at such other times as he shall be required by either branch of the Legislature, a complete statement of the funds of the State, and of the revenue thereof, and of the amount of salaries of the officers of the government, and of other contingent expenses, and other appropriations for the year preceding, and recommend such improvements in the financial system of the State as he may deem expedient."

This section, which may be found in the revised statutes of 1846, page 58, has, so far as it relates to the time within which and to whom the annual report of the Auditor General shall be made, become obsolete, having been superseded by section 2 of act No. 126 of the session laws of 1871, being section 364 of Howell's Statutes, which reads as follows:

"It shall be the duty of the several officers and boards of officers of this State, and also of the several public institutions thereof, from whom annual reports are now or may hereafter be required, to make their respective annual reports to the Governor, and for the period covered by the fiscal year for the treasury, as established by section 1 of this act, and to cause their respective reports to be placed in the hands of the printer of the laws of this State, for publication, as soon as practicable after the close of the fiscal year."

From the foregoing it will be seen that the annual report of the Auditor General should be made to the Governor instead of to the Legislature, and that the only requirement as to time is that it "shall be placed in the hands of the printer of the laws of this State as soon as practicable after the close of the fiscal year."

I would respectfully report that the foregoing provision has been complied with as to my annual report for 1884. I am informed that its printing has been delayed because of the printing of the Legislative Manual and other work pertaining to the Legislature, but I am now promised that it will be ready for distribution within a few days.

Very respectfully,

W. C. STEVENS,  
*Auditor General.*

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 10, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bills:

1. Senate bill No. 176 (File No. 60), entitled

A bill to change and fix the boundary line between the counties of Houghton and Baraga;

2. Senate bill No. 256 (File No. 73), entitled

A bill to incorporate the public schools of Albion;

In the passage of which the House has concurred by a majority vote of all

the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The two bills were referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, {  
Lansing, March 10, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to re-transmit to the Senate the following bill:

House bill No. 126, entitled

A bill to provide for the payment of the expense of the Michigan exhibit at the New Orleans exposition,

In compliance with the request of the Senate for the return of said bill.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives,*

Mr. Woodruff moved to suspend the rules so that the vote by which the bill was passed might be reconsidered;

Which motion prevailed.

Mr. Woodruff moved to reconsider the vote by which the Senate passed the bill;

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Woodruff,

The bill was laid on the table.

The President also announced the following:

HOUSE OF REPRESENTATIVES, {  
Lansing, March 10, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to transmit the following bill:

House bill No. 28 (File No. 122), entitled

A bill to amend sections 10, 11, 12, 13, 14, 16, 17, 21, 22, and 23 of chapter 50 of Howell's Annotated Statutes of Michigan for the year 1882, relating to the State public school for dependent and neglected children, being compiler's sections 1971, 1972, 1973, 1974, 1975, 1977, 1978, 1981, 1982, 1983, and to add a new section thereto which shall be known as section 18;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on education and public schools.

The President also announced the following:



HOUSE OF REPRESENTATIVES, }  
 Lansing, March 10, 1885. }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following bills :

1. House bill No. 292 (File No. 124), entitled

A bill to regulate the sale of adulterated honey ;

2. House bill No. 279 (File No. 127), entitled

A bill to amend compiler's section No. 5955 of compiled laws of 1871 of the laws of Michigan, the same being compiler's section 7526 of Howell's Annotated Statutes, relative to proof of demands in suit ;

3. House bill No. 235 (File No. 128), entitled

A bill to amend section 45 of chapter 158 of the compiled laws of 1871, relative to the payment of debts and legacies of deceased persons, the same being section 5932 of Howell's Annotated Statutes ;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on public health.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The third named bill was read a first and second time by its title and referred to the committee on the judiciary.

#### MOTIONS AND RESOLUTIONS.

Mr. Hubbell offered the following :

WHEREAS, The late Governor of this State, Hon. Josiah W. Begole, stated in his outgoing message that he had, through one Friend Palmer, of Detroit, collected a certain sum of money from the United States, on certain claims of the State against the United States, but did not inform the Legislature what disposition he had made of said sum so received ;

AND WHEREAS, It has been alleged that said money was paid, by said Josiah W. Begole, into the hands of the Quartermaster General of this State, therefore,

*Resolved*, That the committee on military affairs be, and they are hereby instructed to investigate the transaction, and report to the Senate the amount of money, if any, so received from the general government, by the said Josiah W. Begole, as Governor of this State, through said Palmer ; what arrangement was made with said Palmer for commissions, by what authority the same was made, and said commission, if any, was paid to said Palmer ; what disposition he made of said money, and to what officer of this State, if to any, the same was paid, and what disposition was made of said money by such officer, and by what authority, if any, the Governor paid over said money to said officer. That said committee have power to send for persons and papers, and to administer oaths to witnesses.

On motion of Mr. Shoemaker,

The further consideration of the resolution was postponed for one day.

Mr. Stephenson offered the following concurrent resolution :

*Resolved*, By the Senate (the House of Representatives concurring), That the Board of State Auditors be and is hereby requested to cause the elevator to

the State capitol to be kept running during evening sessions of the Legislature and for a sufficient time after the close of such sessions to allow members and visitors an opportunity to leave the capitol by means of such elevator;

Which was adopted.

Mr. Carveth moved to take from the table

Senate bill No. 36 (File No. 36), entitled

A bill for the relief of purchasers and settlers on swamp land;

Which motion prevailed.

The question being on the passage of the bill,

Mr. Carveth offered the following substitute for the body of the bill:

**SECTION 1.** *The People of the State of Michigan enact,* That in all cases where lands have been in good faith previous to January first, eighteen hundred and eighty-five, entered under the pre-emption or homestead laws of the United States at any of the United States land offices in the State of Michigan and such entry has been afterwards set aside or cancelled in consequence of the lands so entered having been found to be State swamp lands, the person so entering such land or his heirs or assigns may at any time before said lands are sold to any other person on presentation of a certificate of such entry and cancellation from the register of the United States land office where such entry was originally made to the commissioner of the State land office be entitled to purchase such lands of the State at the price of one dollar and twenty-five cents per acre—subject to the condition that such pre-emptioner or homesteader shall not have any claim against the State for draining such lands and provided that such lands shall not be offered for sale by the State until the expiration of two years after the same shall be patented to the State, and provided further that any person making application under this act shall make proof satisfactory to the commissioner of the State land office, by affidavit or otherwise, that he has fully complied with the pre-emption or homestead laws of the United States up to the time he received notice of such cancellation.

**Sec. 2.** Act number 166 of the session laws of 1855, and act number 173, session laws of 1867, being sections 5386 and 5387, Howell's Annotated Statutes, be and the same are hereby repealed.

Pending the adoption of the substitute,

Mr. Carveth moved that the substitute and the bill be laid on the table;

Which motion prevailed.

### THIRD READING OF BILLS.

House bill No. 121 (File No. 54), entitled

A bill providing for an exemption from poll-tax of discharged soldiers, sailors, and marines, resident in the State of Michigan,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Kempf,	Mr. Sherwood,
Belknap,	Francis,	Manwaring,	Shoemaker,
Brown,	Hawley,	Monroe,	Smith, G. A.,
Carpenter,	Henry,	Moon,	Smith, S. W.,
Carveth,	Hertzler,	Pennell,	Spencer,
Curtiss,	Hubbell,	Phelps,	Stephenson,
Davenport,	Hueston,	Pulver,	Woodruff,
Davis,			

## NAYS.

0

Title agreed to.

On motion of Mr. Edwards,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

House bill No. 249 (File No. 86), entitled

A bill to authorize the board of supervisors of the county of St. Joseph to dispose of the proceeds of the sale of their poor farm,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Kempf,	Mr. Sherwood,
Belknap,	Francis,	Manwaring,	Shoemaker,
Brown,	Hawley,	Monroe,	Smith, G. A.,
Carpenter,	Henry,	Moon,	Smith, S. W.,
Carveth,	Hertzler,	Pennell,	Spencer,
Curtis,	Hubbell,	Phelps,	Stephenson,
Davenport,	Hueston,	Pulver,	Woodruff,
Davis,			

29

## NAYS.

0

Title agreed to.

Senate joint resolution No. 22 (File No. 7), entitled

Joint resolution to authorize and provide for lighting the Capitol building and grounds by electric light,

Was read a third time, and pending the taking of the vote thereon,

Mr. Henry offered the following as a substitute for the joint resolution:

**JOINT RESOLUTION** to authorize the board of State Auditors to make investigation to ascertain the cost and expediency of lighting the State Capitol building and grounds with electric light.

*Resolved by the Senate and House of Representatives of the State of Michigan,* That the board of State Auditors be and they are hereby authorized and directed to make investigations and secure estimates, to determine the cost of providing for lighting the State Capitol building and grounds with electric light: also the cost of lighting said building and grounds per annum, after the necessary plant has been provided; and also the cost of lighting the said buildings and grounds with gas; and that said board of State Auditors be directed to make a full report of the results of their investigations to the Legislature of 1887;

Mr. Sherwood moved to amend the substitute so as to have the report of the Board of Auditors made to "the present Legislature," instead of to "the Legislature of 1887."

Which substitute was adopted.

The joint resolution was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Pulver,
Belknap,	Edwards,	Kempf,	Sherwood,
Brown,	Francis,	Manwaring,	Shoemaker,

Mr. Carpenter,	Mr. Hawley,	Mr. Monroe,	Mr. Smith, G. A.,
Carveth,	Henry,	Moon,	Smith, S. W.,
Curtiss,	Hertzler,	Pennell,	Stephenson,
Davenport,	Hubbell,	Phelps,	Woodruff; 28

NAYS.

0

Title agreed to.

On motion of Mr. Henry,

By a vote of two-thirds of all the Senators elect, the joint resolution was ordered to take immediate effect.

House joint resolution No. 13 (File No. 8), entitled

Joint resolution authorizing the Governor to issue a patent to William H. Gordon for the northeast quarter of the northeast quarter of section 16, town 4 north, of range 13 west, Michigan, the same being primary school land,

Was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Hawley,	Mr. Manwaring,	Mr. Sherwood,
Belknap,	Henry,	Monroe,	Shoemaker,
Brown,	Hertzler,	Moon,	Smith, G. A.,
Carpenter,	Hubbell,	Pennell,	Smith, S. W.,
Carveth,	Hueston,	Phelps,	Stephenson,
Curtiss,	Kempf,	Pulver,	Woodruff,
Edwards,			

25

NAYS.

0

Title and preamble agreed to.

On motion of Mr. Manwaring,

By a vote of two-thirds of all the Senators elect, the joint resolution was ordered to take immediate effect.

Senate bill No. 45 (File No. 23), entitled

A bill amending section 9199 of Howell's Annotated Statutes relative to breaking locks and chains attached to boats,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Hawley,	Mr. Manwaring,	Mr. Sherwood,
Belknap,	Henry,	Monroe,	Shoemaker,
Brown,	Hertzler,	Moon,	Smith, G. A.,
Carpenter,	Hubbell,	Pennell,	Smith, S. W.,
Carveth,	Hueston,	Phelps,	Stephenson,
Curtiss,	Kempf,	Pulver,	Woodruff,
Davis,			

25

NAYS.

0

Title agreed to.

House joint resolution No. 11 (File No. 5), entitled

Joint resolution requesting our Senators and Representatives in Congress to use their best endeavors to secure such legislation by Congress as will result in the establishment of a harbor of refuge at Ludington and also secure an appropriation for that purpose in consonance with a report of the board of engineers detailed by the war department at Washington for that purpose,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Kempf,	Mr. Sherwood,
Belknap,	Edwards,	Manwaring,	Shoemaker,
Brown,	Hawley,	Moon,	Smith, G. A.,
Carpenter,	Henry,	Pennell,	Smith, S. W.,
Carveth,	Hertzler,	Phelps,	Stephenson,
Curtiss,	Hueston,	Pulver,	Woodruff, 24

## NAYS.

0

Title and preamble agreed to.

Senate bill No. 89 (File No. 49), entitled

A bill to amend section 44 of chapter 46, of the compiled laws of 1871, being compiler's section 1735, and being also section 1676 of Howell's Annotated Statutes, relative to public health,

Was read a third time, and pending the taking of the vote thereon,

Mr. Hubbell moved that the same be recommitted to the committee of the whole,

Which motion prevailed.

House bill No. 110 (File No. 37), entitled

A bill to provide for the payment of certain drain taxes apportioned on State lands in accordance with the provisions of section 21 of act number 269, session laws of 1881,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Kempf,	Mr. Pulver,
Belknap,	Edwards,	Manwaring,	Sherwood,
Brown,	Henry,	Monroe,	Smith, S. W.,
Carpenter,	Hertzler,	Moon,	Stephenson,
Carveth,	Hubbell,	Pennell,	Woodruff,
Curtiss,	Hueston,	Phelps,	23

## NAYS.

Mr. Smith, G. A.,

1

Title agreed to.

Mr. Edwards offered the following resolution:

*Resolved*, That when the Senate adjourns this evening, it stand adjourned to to-morrow morning at 9 o'clock.

Mr. Hubbell moved to amend by striking out the words "morning" and "9" and inserting in lieu thereof the word "evening" and "7½;"

Which motion did not prevail,

The question being on the adoption of the resolution,

The same was adopted.

Senate bill No. 53 (File No. 35), entitled

A bill prohibiting judges of courts of record or justices sitting in cases when they are related to any attorney, counsellor, or solicitor in the case,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Hawley,	Mr. Kempf,	Mr. Phelps,
Brown,	Henry,	Manwaring,	Pulver,
Carpenter,	Hertzler,	Monroe,	Smith, G. A.,
Carveth,	Hubbell,	Moon,	Smith, S. W.,
Davis,	Hueston,	Pennell,	Stephenson,
Edwards.			21

## NAYS.

Mr. Belknap,	Mr. Curtiss,	Mr. Francis,	Mr. Sherwood,	4
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Title agreed to.  
On motion of Mr. Hubbell,  
The Senate adjourned until 9 o'clock to-morrow morning.

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*Lansing, Wednesday, March 11, 1885.*

The Senate met and was called to order by the President at 9 o'clock A. M.  
Prayer by the Rev. Mr. Thompson.

Roll called: a quorum present.

Absent without leave: Senator Cline.

Mr. Pulver asked and obtained leave of absence for Mr. Cline for the day.

## PETITIONS.

No. 254. By Mr. Pennell: Remonstrance of P. K. Perrin and 16 citizens of St. Johns, relative to House File No. 92, "To prohibit the teaching of languages other than English in primary schools in this State except in certain cases;"

Referred to the committee on education and public schools.

## MESSAGES FROM THE HOUSE.

The President also announced the following: '

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 11, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following resolution:

WHEREAS, Very important legislation upon the subject of drainage is necessary; therefore

*Resolved*, That the House of Representatives respectfully ask the Senate to appoint a committee of three from the Senate to meet the House committee on drainage, to which joint committee all matters on drainage shall be referred,

Which has passed the House, and in which the concurrence of the Senate respectfully asked.

Very respectfully,  
DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

On motion of Mr. Hertzler,

The Senate concurred in the request of the House for the appointment of a committee.

#### UNFINISHED BUSINESS.

Being the consideration of the following preamble and resolution :

WHEREAS, The late Governor of this State, Hon. Josiah W. Begole, stated in his outgoing message that he had, through one Friend Palmer, of Detroit, collected a certain sum of money from the United States, on certain claims of the State against the United States, but did not inform the Legislature what disposition he had made of said sum so received ;

AND WHEREAS, It has been alleged that said money was paid, by said Josiah W. Begole, into the hands of the Quartermaster General of this State ; therefore,

*Resolved*, That the committee on military affairs be, and they are hereby instructed to investigate the transaction, and report to the Senate the amount of money, if any, so received from the general government, by the said Josiah W. Begole, as Governor of this State, through said Palmer ; what arrangement was made with said Palmer for commissions, by what authority the same was made, and said commission, if any, was paid to said Palmer ; what disposition he made of said money, and to what officer of this State, if to any, the same was paid, and what disposition was made of said money by such officer, and by what authority, if any, the Governor paid over said money to said officer. That said committee have power to send for persons and papers, and to administer oaths to witnesses.

On motion of Mr. Shoemaker,

The preamble and resolution were laid on the table.

#### GENERAL ORDER.

On motion of Mr. Manwaring,

The Senate went into committee of the whole on the general order.

Mr. Carveth in the chair.

After some time spent therein, the committee rose, and through their chairman made the following report :

The committee of the whole have had under consideration the following :

Senate bill No. 269 (File No. 67), entitled

A bill to re-incorporate the village of Au Sable, in Iosco county ;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend its passage.

JOHN CARVETH, *Chairman*.

Report accepted and committee discharged.

The bill was placed on the order of third reading of bills.

Mr. Hubbell moved to take from the table the following :

WHEREAS, The late Governor of this State, Hon. Josiah W. Begole, stated in his outgoing message that he had, through one Friend Palmer, of Detroit, collected a certain sum of money from the United States, on certain claims of the State against the United States, but did not inform the Legislature what disposition he had made of said sum so received ;

AND WHEREAS, It has been alleged that said money was paid, by said Josiah W. Begole, into the hands of the Quartermaster General of this State, therefore,

*Resolved*, That the committee on military affairs be, and they are hereby instructed to investigate the transaction, and report to the Senate the amount of money, if any, so received from the general government, by the said Josiah W. Begole, as Governor of this State, through said Palmer; what arrangement was made with said Palmer for commissions, by what authority the same was made, and said commission, if any, was paid to said Palmer; what disposition he made of said money, and to what officer of this State, if to any, the same was paid, and what disposition was made of said money by such officer, and by what authority, if any, the Governor paid over said money to said officer. That said committee have power to send for persons and papers, and to administer oaths to witnesses;

Which motion prevailed.

Mr. Shoemaker moved to amend the resolution by inserting after the word "Palmer" where it first occurs in the resolution the words "through what office and from what cause such indebtedness to this State by the United States arose;"

Which amendment was accepted by the mover of the resolution.

The preamble and resolution as amended were then adopted.

On motion of Mr. Carveth,

The Senate took a recess until 7:30 o'clock P. M.

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#### EVENING SESSION.

*7:30 o'clock P. M.*

The Senate met and was called to order by the President.

Roll called: a quorum present.

#### PETITIONS.

No. 255. By Mr. Henry: Remonstrance of Charles Goddard, and other citizens of Oscoda, against the incorporation of Au Sable and Oscoda under one city or village government.

No. 256. By the same: Remonstrance of Peter Roberts, and 60 other citizens of the village of Oscoda, same object.

The two petitions were referred to the committee on cities and villages.

No. 257. By Mr. Davis: Remonstrance of A. C. Maas, and 205 others, of Bay county, against a bill to prohibit the teaching of languages, other than the English, and studies other than the English, in the primary schools of this State;

Referred to the committee on education.

No. 258. By Mr. Shoemaker: Preamble and resolutions of Edward Pomeroy Post, No. 48, of Jackson, relative to the burial of deceased soldiers.

On motion of Mr. Shoemaker,

The preamble and resolution were ordered printed in the Journal, and referred to the committee on military affairs.

The following is the preamble and resolution:

Preamble and resolution of Edward Pomeroy Post No. 48, G. A. R., of Jackson, against the passage of Senate bill "authorizing and providing for the burial of the body of any honorably discharged ex-union soldier, sailor, or marine of this State, who shall hereafter die without leaving means sufficient to defray



funeral expenses," and in favor of the House bill making an appropriation for the establishment of a Soldier's Home in the State of Michigan.

WHEREAS, a bill is now pending in the State Senate providing for the burial of the body of any honorably discharged ex-union soldier, sailor, or marine of this State who shall hereafter die without leaving means sufficient to defray funeral expenses; and

WHEREAS, a bill is pending in the State House of Representatives providing for the appropriation of two hundred thousand dollars for the establishment of a Soldier's Home in the State of Michigan; therefore,

*Resolved*, By Edward Pomeroy Post No. 48, Grand Army of the Republic of the department of Michigan, that we are opposed to the passage of the Senate bill, and are in favor of the adoption of the House bill for the reasons: First, that no honorably discharged soldier, sailor, or marine who served in the Union army during the rebellion, should ever be permitted to become the inmate of an almshouse. Second, that we believe it an imperative duty which the citizens of the State owe to themselves and the brave men who sacrificed so much for the purpose of maintaining intact our republican form of government as handed down by our fathers, to provide and care for every worthy ex-Union soldier who, through disability arising from any cause, is not able to provide for himself.

No. 259. By Mr. Austin: Petition of Mrs. Levarway, Dr. E. Rawson, and sixty other citizens of Calhoun county in favor of municipal suffrage for women;

Referred to the committee on the judiciary.

No. 260. By Mr. Woodruff: Remonstrance of Charles Merrill & Co., Baker & Binder, and eleven others against the passage of Senate bill No. 207, relative to annexing certain territory to Saginaw City, in Saginaw county;

Referred to the committee on cities and villages.

No. 261. By Mr. Davenport: Remonstrance of the business men's association of Saginaw City against the passage of House File No. 92.

The remonstrance was ordered printed in the Journal, and referred to the committee on education and public schools.

The following is the remonstrance:

At a meeting of the Saginaw Business Men's association, held March 9, 1885, the following was unanimously adopted:

*Resolved*, That it is the sense of this association that the bill now pending before the State Legislature, prohibiting the teaching of foreign languages in the public schools, is an infringement on the rights of our citizens, and has our unqualified disapproval;

And further, that the above be conveyed to Senator Davenport as our sentiments, and at the same time requesting him to do all in his power to defeat said bill.

W. H. KEELER, *Secretary*.

No. 262. By Mr. Hawley: Petition of Isaac Marston, E. H. Butler, E. C. Walker, Hoyt Post, Otto Kirchner, C. A. Kent, and many citizens of Detroit, in favor of the passage of House bill No. 77, File No. 24, relative to justices' courts in the city of Detroit;

Referred to the committee on the judiciary.

#### REPORTS OF STANDING COMMITTEES.

By the committee on public lands:

The committee on public lands, to whom was referred

House joint resolution No. 15, entitled

Joint resolution to authorize the issue of a patent to Ezra Jones upon primary school land certificate number 144,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. MANWARING, *Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 151, entitled

A bill to provide for the punishment of public officers, their servants and agents who knowingly and unlawfully appropriate to their own use, or to the use of others, the money or property committed to their care,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate bill No. 176 (File No. 60), entitled

A bill to change and fix the boundary line between the counties of Houghton and Baraga;

Also,

Senate bill No. 256 (File No. 73), entitled

A bill to incorporate the public schools of Albion.

J. W. BELKNAP, *Chairman.*

Report accepted.

By the committee on immigration:

The committee on immigration, to whom was referred

That part of the retiring Governor's and the Governor's message relating to the Commissioner of Immigration,

Respectfully report that they have had the same under consideration, and would recommend that the law creating the office of Immigration Commissioner be repealed, and that said Commissioner be required to deposit in the office of the Secretary of State all books, papers, maps, and documents belonging to said office, and ask to be discharged from the further consideration of the subject.

L. C. DAVIS, *Chairman.*

Report accepted and committee discharged.

## MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 11, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

1. Senate bill No. 54 (File No. 25), entitled

A bill to attach the county of Isle Royal to the county of Houghton, for judicial purposes;

2. Senate bill No. 70 (File No. 28), entitled

A bill to amend section 1 of chapter 10 of act 164 of the public acts of 1881, approved May 21, 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," as amended by act No. 28 of the session laws of 1883, approved April 18, 1893, being compiler's section 5132 of Howell's Annotated Statutes;

In the passage of which, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The two bills were referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 11, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bills:

1. Senate bill No. 60 (File No. 40), entitled

A bill to amend compiler's section 5727 of the compiled laws of 1871, being section 6 of chapter 257 of Howell's Annotated Statutes of Michigan, so as to specify the times for the issue and return of original writs in personal actions, and provide for common return days for said writs;

2. Senate bill No. 44 (File No. 22), entitled

A bill to amend section 7606 of Howell's Annotated Statutes, being compiler's section 6026 of the compiled laws of 1871, relative to the trial of issues of fact;

3. Senate bill No. 28 (File No. 21), entitled

A bill to amend sections 70 and 71 of chapter 19 of Howell's Annotated Statutes, being compiler's sections 744 and 745, being sections 706 and 707 of the compiled laws of 1871, relative to township boards;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The three bills were referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 11, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 29 (File No. 4), entitled

A bill for the protection of labor debts against exemptions,

And to inform the Senate that the House has amended the title to said bill so as to read as follows;

A bill for the better protection of labor debts,

In the passage of which, with the title as thus amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

Mr. Carveth moved that the Senate concur in the amendment made to the title of the bill by the House;

Which motion prevailed.

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 11, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill: Senate bill No. 109, entitled

A bill to require the use of bells on either a team or sleigh during the winter season for the safety of foot travelers;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 11, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 7 (File No. 38) entitled

A bill to amend section 4 of act 191 of the session laws of 1877, as amended by act 216 of the session laws of 1881, being section 2368 of Howell's Annotated Statutes of Michigan of the year 1882, and to inform the Senate that the House has amended the title so as to read as follows:

“A bill to amend section 4 of act No. 191 of the session laws of 1877, as amended by act No. 216 of the session laws of 1881, being section 2368 of Howell's Annotated Statutes, relative to limited partnerships;”

In the passage of which, with the title so amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

Mr. Carveth moved that the Senate concur in the amendment made to the title of the bill by the House;

Which motion prevailed.

The bill was referred to the committee on engrossment and enrollment for enrollment.

#### MOTIONS AND RESOLUTIONS.

Mr. Henry offered the following resolution:

*Resolved*, That a respectful message be transmitted to the House, requesting the return of

House bill No. 110 (File No. 37), entitled

A bill to provide for the payment of certain drain taxes apportioned on State lands, in accordance with the provisions of section 21, of act No. 269, of session laws of 1881;

Which was adopted.

Mr. Francis moved to take from the table,

Senate bill No. 11 (File No. 19), entitled

A bill to incorporate the village of Manistique;

Which motion prevailed.

On motion of Mr. Francis,

The bill was recommitted to the committee of the whole and placed on the general order.

Mr. Carveth moved to take from the table

Senate bill No. 36 (File No. 36), entitled

A bill for the relief of purchasers and settlers on swamp land;

Which motion prevailed.

The question being on the adoption of the following substitute for the body of the bill:

SECTION 1. *The People of the State of Michigan enact*, That in all cases where lands have been in good faith previous to January first, eighteen hundred and eighty-five, entered under the pre-emption or homestead laws of the United States at any of the United States land offices in the State of Michigan and such entry has been afterwards set aside or cancelled in consequence of the lands so entered having been found to be State swamp lands, the person so entering such land or his heirs or assigns may at any time before said lands are sold to any other person, on presentation of a certificate of such entry and cancellation from the register of the United States land office where such entry was originally made to the commissioner of the State land office, be entitled to purchase such lands of the State at the price of one dollar and twenty-five cents per acre—subject to the condition that such pre-emptioner or homesteader shall not have any claim against the State for draining such lands, and provided that such lands shall not be offered for sale by the State until the expiration of two years after the same shall be patented to the State, and provided further that any person making application under this act shall make proof satisfactory to the commissioner of the State land office, by affidavit or otherwise, that

he has fully complied with the pre-emption or homestead laws of the United States up to the time he received notice of such cancellation;

SEC. 2. Act number 166 of the session laws of 1855, and act number 173, session laws of 1867, being sections 5386 and 5387, Howell's Annotated Statutes, be and the same are hereby repealed;

The same was adopted.

On motion of Mr. Carveth,

The bill was placed on the order of third reading of bills.

### THIRD READING OF BILLS.

Senate bill No. 269 (File No. 67), entitled

A bill to re-incorporate the village of Au Sable in Iosco county,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Kempf,	Mr. Sherwood,
Belknap,	Francis,	Manwaring,	Shoemaker,
Brown,	Greiner,	Monroe,	Smith, G. A.,
Carpenter,	Hawley,	Moon,	Smith, S. W.,
Carveth,	Henry,	Pennell,	Spencer,
Curtiss,	Hertzler,	Phelps,	Stephenson,
Davenport,	Hubbell,	Pulver,	Woodruff,
Davis,	Hueston,		

30

### NAYS.

0

Title agreed to.

On motion of Mr. Henry,

By a vote of two-thirds of the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 36 (File No. 36), entitled

A bill for the relief of purchasers and settlers on swamp land,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Kempf,	Mr. Sherwood,
Belknap,	Francis,	Manwaring,	Shoemaker,
Brown,	Greiner,	Monroe,	Smith, G. A.,
Carpenter,	Hawley,	Moon,	Smith, S. W.,
Carveth,	Henry,	Pennell,	Spencer,
Curtiss,	Hertzler,	Phelps,	Stephenson,
Davenport,	Hubbell,	Pulver,	Woodruff,
Davis,	Hueston,		

30

### NAYS.

0

The question being on agreeing to the title,

Mr. Carveth moved to amend the title as follows:

By adding the words "and to repeal act No. 166 of the session laws of 1855, and act No. 173, session laws of 1867, being sections 5386 and 5387, Howell's Annotated Statutes;"

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Carveth,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

#### GENERAL ORDER.

On motion of Mr. Manwaring,

The Senate went into committee of the whole on the general order,

Mr. G. A. Smith in the chair.

After some time spent therein, the committee rose, and, through their chairman, made the following report:

The committee of the whole have had under consideration the following

1. Senate bill No. 26 (File No. 41), entitled

A bill to repeal sections 328 and 329 of Howell's Annotated Statutes, being sections 206 and 207 of the compiled laws of 1871, and all amendments thereto, being a bill to abolish the office of Commissioner of Immigration;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate and recommend its passage.

The committee of the whole have also had under consideration the following:

2. Senate bill No. 11 (File No. 9) entitled

A bill to incorporate the village of Manistique,

Have adopted a substitute therefor entitled

A bill to incorporate the village of Manistique,

And have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend its passage.

The committee of the whole have also had under consideration the following:

3. Senate bill No. 22 (File No. 11), entitled

A bill to amend sections 1442, 1443, 1445, and 1446 of Howell's Annotated Statutes, being sections 1, 2, 4, and 5 of act No. 244 of the session laws of 1879, entitled "An act for the collection of damages sustained by reason of defective public highways, streets, bridges, cross-walks, and culverts," so as to make said act cover damages sustained by reason of defective sidewalks.

Have directed their chairman to report the same back to the Senate, with the recommendation that it be recommitted to the committee on the judiciary, together with certain proposed amendments.

G. A. SMITH, *Chairman.*

Report accepted.

The first named bill was placed on the order of third reading of bills.

On motion of Mr. G. A. Smith,

The Senate concurred in the adoption of the substitute for the second named bill, and the same was placed on the order of third reading of bills.

On motion of Mr. G. A. Smith,

The Senate concurred in the recommendation of the committee in regard to the third named bill, and the same was recommitted to the committee on judiciary, together with the amendments.

On motion of Mr. Stephenson,

The rules were suspended, and Senate bill No. 11 (File No. 19), entitled

A bill to incorporate the village of Manistique,

Was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Manwaring,	Mr. Shoemaker,
Belknap,	Francis,	Monroe,	Smith, G. A.,
Brown,	Henry,	Moon,	Smith, S. W.
Carpenter,	Hertzler,	Pennell,	Spencer,
Carveth,	Hubbell,	Phelps,	Stephenson,
Curtiss,	Hueston,	Sherwood,	Woodruff,
Davenport,	Kempf,		

26

## NAYS.

0

Title agreed to.

On motion of Mr. Stephenson,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

On motion of Mr. G. A. Smith,

The Senate adjourned.



*Lansing, Thursday, March 12, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.

Prayer by Rev. Mr. Taylor.

Roll called: a quorum present.

Absent without leave, Senator Pulver.

Mr. Manwaring asked and obtained leave of absence for Mr. Pulver for the day.

## PETITIONS.

No. 263. By Mr. Kempf: Petition of T. P. Wilson, Edward Olney, John O'Brien and 700 others relative to selling intoxicating liquors as a beverage within five miles of the University of Michigan.

On motion of Mr. Kempf,

The petition was ordered printed in the Journal and referred to the committee on liquor traffic.

The following is the petition:

*To the Honorable, the Senate and House of Representatives of the State of Michigan:*

The undersigned, citizens of said State, respectfully petition your honorable body to provide by law that alcoholic or intoxicating liquors shall not be sold nor kept for sale, nor given away as a beverage, at any place within five miles of the University of the State of Michigan.

Your petitioners would respectfully represent that some such additional provision is needed to secure the important object had in view by your predecessors in office in prohibiting the sale of such liquors to students, the enforcement of said prohibition being very difficult if not impossible in the midst of



from 30 to 40 saloons on the streets and around the postoffice of Ann Arbor. Your petitioners believe that the full inhibition herein asked for would be easier of enforcement than the partial now existing.

The University and the citizens of Ann Arbor and vicinity are mutually interested in this matter; and it is believed that both parties would co-operate in the enforcement of the inhibition asked for in our petition, and so remove a serious hindrance to the usefulness of the University which the State has endowed and maintained with wise and generous munificence.

So far as we know a provision similar to that asked for by your petitioners has proved beneficial to the Military Academy at Orchard Lake; and it seems to us that the greater and more varied interests of our State University demand such prudent protection.

No. 264. By Mr. Davis: Petition of J. R. Num, Richard Morris, and eight others, for the passage of a law regulating the practice of pharmacy.

No. 265. By Mr. Kempf: Petition of Albert B. Prescott and eight other citizens of Ann Arbor, for the same object.

No. 266. By Mr. Kempf: Petition of L. D. Taylor and 53 other citizens of the same place, for the same object;

The three petitions were referred to the committee on public health.

No. 267. By Mr. Belknap: Petition of Mrs. Anderson and four other ladies of Schoolcraft, in favor of municipal suffrage for women;

The petition was referred to the committee on the judiciary.

No. 268. By Mr. Brown: Petition of Cephas Campbell and 59 other citizens of St. Clair county, for money from liquor tax to be appropriated for the support of the county and township poor and the public schools;

Referred to the committee on the liquor traffic.

No. 269. By Mr. Phelps: Petition of A. J. Morgan and 43 other citizens of Osceola county, for the establishment of a home for disabled soldiers, sailors, and marines in this State;

No. 270. By Mr. Henry: Petition of S. G. Taylor, James Hamilton, A. G. Van Way, and William B. Kelly. relative to matters pertaining to the incorporation of Tawas City;

Referred to the committee on cities and villages.

No. 271. By Mr. Phelps: Remonstrance of Ned Scott and 141 others, against the passage of House bill File No. 28, to prevent hunting deer with dogs;

On motion of Mr. Phelps,

The remonstrance was ordered printed in the Journal and referred to the committee on State affairs.

The following is the remonstrance:

*To the Honorable body, the Legislature of the State of Michigan:*

Your petitioners, who are residents of the State of Michigan, respectfully ask that the bill which provides that deer shall not be hunted in the State with dogs, do not pass for the following reasons:

In hunting with hounds, deer become more wild, and are less liable to be captured, than by still hunting.

Because more deer can be killed by still-hunting, than in hunting with dogs.

Because in still-hunting persons are very liable to be shot, as there are no dogs to make any noise, and the hunters are liable to shoot any moving object.

Because in still-hunting deer are liable to be wounded and not captured, and left to suffer and die.

Because hunting with dogs gives a deer a chance to escape, while the still-hunter crawls stealthily and cowardly upon them, and shoots at them while grazing, or asleep, which a true sportsman scorns to do.

Because more deer will be killed during the fifteen days in the month of December, than in all the rest of the season.

Your petitioners would respectfully suggest that it would preserve the deer more to amend the present law, by cutting off the month of October, and limiting the season to month of November, which time would be long enough to satisfy sportsmen. Also that your honorable body provide for the appointment of game wardens throughout the State, with power to appoint deputies in each township, to see that the law is enforced, and that they receive such compensation as to you shall seem fit, and your petitioners will ever pray.

#### REPORTS OF STANDING COMMITTEES.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 66, entitled

A bill to amend section 5076 of the compiled laws of 1871, being section 6630 of Howell's Annotated Statutes, relative to the service of subpoenas in courts of chancery,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 192, entitled

A bill to provide for a deputy attorney general for the office of attorney general at Lansing;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House joint resolution No. 7 (File No. 7), entitled

A joint resolution authorizing the issuing of a patent to Milton H. Davis, of the county of Gratiot, upon primary school land certificate No. 5321;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amend-

ment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Pennell,

The rules were suspended, and the joint resolution was placed on its immediate passage.

The joint resolution was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hubbell,	Mr. Phelps,
Belknap,	Edwards,	Hueston,	Sherwood,
Brown,	Francis,	Kempf,	Shoemaker,
Carpenter,	Greiner,	Manwaring,	Smith, G. A.,
Carveth,	Hawley,	Monroe,	Smith, S. W.,
Curtiss,	Henry,	Moon,	Stephenson,
Davenport,	Hertzler,	Pennell,	Woodruff, 28

NAYS.

0

Title and preamble agreed to,

On motion of Mr. Pennell,

By a vote of two-thirds of all the Senators elect, the joint resolution was ordered to take immediate effect.

By the committee on counties and townships:

The committee on counties and townships, to whom was referred

House bill No. 506, entitled

A bill to detach certain territory from the township of Kawkawlin, and to attach the same to the township of Monitor, in Bay county;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman*.

On motion of Mr. Davis,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Edwards,	Kempf,	Shoemaker,
Brown,	Francis,	Manwaring,	Smith, G. A.,
Carpenter,	Greiner,	Monroe,	Smith, S. W.,
Carveth,	Hawley,	Moon,	Spencer,
Cline,	Hertzler,	Pennell,	Stephenson,
Curtiss,	Hubbell,	Phelps,	Woodruff,
Davenport,			

29

NAYS.

0

Title agreed to.

On motion of Mr. Davis,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on State public school:

The committee on State public school, to whom was referred  
House bill No. 28 (File No. 123), entitled

A bill to amend sections 10, 11, 12, 13, 14, 16, 17, 21, 22, and 23, of chapter 50, of Howell's Annotated Statutes of Michigan for 1882, relating to the State Public School for dependent and neglected children, being compiler's sections 1971, 1972, 1973, 1974, 1975, 1977, 1978, 1981, 1982, and 1983, and to add a new section thereto which shall be known as section 18,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

C. R. HENRY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Henry.

The Senate concurred in the amendments made to the bill by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on public health:

The committee on public health, to whom was referred

House bill No. 292 (File No. 124), entitled

A bill to regulate the sale of adulterated honey,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES HUESTON, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 211, entitled

A bill to establish and regulate a mining school in the upper peninsula,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with a recommendation that it be printed for the use of the committee.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Phelps,

The bill was ordered printed and re-referred to the committee.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 377, entitled

A bill to make the possession of fish or game during the close season *prima facie* evidence of the illegal capture of such fish or game,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. S. W. Smith,  
The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs to whom was referred

Senate bill No. 219, entitled

A bill to amend sections 8 and 75 of chapter 10 of the compiled laws of 1871, being compiler's sections 480 and 585 of Howell's Annotated Statutes, with reference to county officers,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 316, entitled

A bill to amend section 2 of act No. 27 of the session laws of 1882, approved March 15, 1882, entitled "An act to provide for the incorporation of the Grand Council of the Royal Templars of Temperance, and any select council of the order in the State of Michigan,"

Respectfully report that they have had the same under consideration, and, have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 293, entitled

A bill to punish frauds upon hotel, tavern, inn, and boarding house keepers;

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Phelps,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agricultural interests:

The committee on agricultural interests, to whom was referred

Senate bill No. 383, entitled

A bill to authorize and empower the board of supervisors of Jackson county and the Jackson county agricultural society to sell the grounds in the city of Jackson, known as the fair grounds, and to purchase other grounds to be used as public grounds and grounds for holding agricultural and other fairs,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

MANSON CARPENTER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agricultural interests:

The committee on agricultural interests, to whom was referred

House bill No. 255 (File No. 117), entitled

A bill to provide for the inspection of commercial fertilizers and to regulate the sale thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

MANSON CARPENTER, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICE, }  
Lansing, March 12, 1885. }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State,

An act to incorporate the public schools of Albion;

Also,

An act to change and fix the boundary line between the counties of Houghton and Baraga,

RUSSELL A. ALGER, *Governor.*

The message was laid on the table.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 12, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to respectfully request the return of the following bill:

Senate bill No. 7 (File No. 38), entitled

A bill to amend section 4 of act 191 of the session laws of 1877, as amended

by act 216 of the session laws of 1881, being section 2368 of Howell's Annotated Statutes, relative to limited partnerships.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

On motion of Mr. Hubbell,

The request of the House was complied with, and the bill ordered returned.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 12, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 551, entitled

A bill to amend sections 2, 3, 8 and 32 of an act entitled "An act to incorporate the village of Vermontville," being act No. 217 of the session laws of 1871, as amended by act No. 329 of the session laws of 1881, approved March 22, 1881;

2. House bill No. 413, entitled

A bill to incorporate the village of Shelby, in the county of Oceana;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The second named bill was read a first and second time by its title, and referred to the committee on cities and villages.

#### MOTIONS AND RESOLUTIONS.

Mr. Hawley offered the following resolution:

*Resolved,* That the Board of State Auditors be and they are hereby required to have the sidewalks surrounding the Capitol square cleaned of snow and ice forthwith.

Which was adopted.

Mr. Woodruff moved to take from the table

House bill No. 126, entitled

A bill to provide for the payment of the expenses of the Michigan exhibit at the New Orleans exposition,

Which motion prevailed.

The question being on the passage of the bill,

Mr. Woodruff moved to amend the bill by striking out section 2 and substituting therefor the following, to stand as section 2:

SEC. 2. The Board of State Auditors are hereby authorized to audit and allow to the Michigan Commissioners to the New Orleans Exposition the sum hereby appropriated, or so much thereof as may be necessary to pay the expenses of said commission, and the Auditor General is hereby authorized to draw his warrant upon the State Treasurer for the amount so audited and allowed, upon presentation of the proper vouchers certified by the Board of State Auditors: *Provided,* That before any of said appropriation shall be paid the bonds issued by said Commissioners, bearing date October 27, 1884, which

bonds amount to the sum of ten thousand dollars, shall be presented to the Board of State Auditors for cancellation,

Which motion prevailed.

Pending the taking of the vote on the passage thereof,

On motion of Mr. Hubbell,

The bill was laid on the table.

### THIRD READING OF BILLS.

Senate bill No. 26 (File No. 41), entitled

A bill to repeal sections 328 and 329 of Howell's Annotated Statutes, being sections 206 and 207 of the compiled laws of 1871 and all amendments hereto, being a bill to abolish the office of commissioner of immigration;

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Greiner,	Mr. Hueston,	Mr. Phelps,
Carpenter,	Hawley,	Manwaring,	Shoemaker,
Cline,	Henry,	Monroe,	Smith, G. A.,
Curtiss,	Hertzler,	Moon,	Spencer,
Davis,			

17

#### NAYS.

Mr. Brown,	Mr. Francis,	Mr. Stephenson,	3
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Title agreed to.

Senate reprint of bill No. 82 (File No. 93), entitled

A bill to regulate the practice of pharmacy in the State of Michigan;

Pending the third reading thereof,

On motion of Mr. Hubbell,

The bill was laid on the table.

### GENERAL ORDER.

On motion of Mr. Manwaring,

The Senate went into the committee of the whole, on the general order,

Mr. Davis in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following:

1. Senate bill No. 408 (File No. 74), entitled

A bill to vacate a State road in or near the city of Escanaba,

2. Senate bill No. 404 (File No. 77), entitled

A bill for the rebuilding, repair and preservation of the bridges across the Au Sable river within the boundaries of the county of Oscoda, and providing for the election of a "county bridge commissioner,"

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

The committee of the whole have also had under consideration the following:

3. House bill No. 77 (File No. 24), entitled

A bill to amend an act entitled "An act relative to justices' courts in the city of Detroit," being act No. 280 of the session laws of 1883, approved April 25, 1883;

4. Senate bill No. 214 (File No. 76), entitled



A bill to provide for the construction of a bridge across Black river, on the county line between the townships of Grant, in St. Clair county, and Worth, in Sanilac county;

5. Senate bill No. 89 (File No. 49), entitled

A bill to amend section 44 of chapter 46 of the compiled laws of 1871, being compiler's section 1735, and being also section 176 of Howell's Annotated Statutes, relative to public health;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following:

6. House bill No. 120 (File No. 51), entitled

A bill to amend section 3, chapter 194, Compiled Laws of 1871, relative to the State Agricultural College, being section 4979 of Howell's Annotated Statutes of Michigan,

7. Senate bill No. 56 (File No. 75), entitled

A bill to amend section fourteen, of chapter two, of an act entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement, and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within this State," approved June 8, 1881, being section thirteen hundred and thirty-eight of Howell's Statutes;

Have directed their chairman to report the same back to the Senate, with the recommendation that the bills do lie upon the table.

L. O. DAVIS, *Chairman*.

Report accepted.

The first two named bills were placed on the order of third reading of bills.

On motion of Mr. Davis,

The Senate concurred in the amendments made to the second named bills, and the same were placed on the order of third reading of bills.

On motion of Mr. Davis,

The Senate concurred in the recommendation of the committee of the whole regarding the two last named bills, and the same were laid on the table.

Mr. Davenport asked and obtained leave of absence for himself for the balance of the week.

Mr. G. A. Smith moved that the Senate take a recess until 7:30 o'clock P. M.;

Which motion did not prevail.

On motion of Mr. Hertzler,

The Senate adjourned.

*Lansing, Friday, March 13, 1885.*

The Senate met and was called to order by the President *pro tem.* at 2 o'clock P. M.

Prayer by the Rev. Mr. Jameson.

Roll called: a quorum present.

#### ANNOUNCEMENTS.

The President *pro tem.* announced the following appointment as having been made by the President:

In accordance with the resolution adopted by the Senate March 11 that "a committee of three from the Senate to meet the House committee on drainage, to which joint committee all matters on drainage shall be referred," I appoint Messrs. S. W. Smith, Moon, and Hertzler.

#### PETITIONS.

No. 272. By Mr. S. W. Smith: Petition of C. S. Linaburg and 81 others, in favor of a law to prohibit the manufacture and sale of oleomargarine and butterine;

Referred to the committee on State affairs.

No. 273. By Mr. Kempf: Remonstrance of Christian Mack and 26 others, House File No. 92, "To prohibit the teaching of languages other than English in primary schools in this State except in certain cases."

On motion of Mr. Kempf,

The remonstrance was ordered printed in the Journal and referred to the committee on education and public schools.

The following is the remonstrance:

*To the Honorable the members of Legislature of the State of Michigan:*

GENTLEMEN:—Your petitioners desire most respectfully to represent to your Honorable Bodies, that they are taxpayers and citizens of said State; that they have become familiar with the provisions of a bill recently introduced into the House of Representatives at the present session of said Legislature, entitled: "A bill to prohibit the teaching of languages other than the English, and studies in other than the English language in the primary schools of this State, except in certain cases;" That, in the opinion of your petitioners, the provisions of said bill are not in accordance with the best interests of the people of the State, and should they become law, would tend to retard rather than promote popular education. This opinion is based upon the following among other reasons:

*First*—From the earliest period of the history of this State the teaching of other than the English language has been permitted in the Primary Schools under the direction of the proper officers. As authority for this statement, your attention is respectfully called to the able and learned opinion of Chief Justice Cooley, given in the case of *Stewart vs. School District No. 1, of Kalamazoo*, 30 Mich. R., 69. During this entire period, such teaching has had the sanction of the foremost educators of the State, and, so far as the observation of your petitioners has extended, has received the approbation and hearty assent of the great majority of the people. It cannot be deemed wise legislation to

change laws that have been promotive of the public good, especially when there is no popular demand for such change.

*Second*—In many localities in this State, as is known to all, the use of other than the English language is of great practical benefit to every inhabitant. If a knowledge of such other languages can be obtained in the Primary Schools, then the children of the poor as well as those of the rich can enjoy that benefit, otherwise not. The Primary Schools should meet the demands of all the people, supplying fairly the educational wants of every community.

*Third*—The provision of the bill, requiring the voters of each district to pass upon the question each year is especially pernicious in this, that it will keep the question constantly agitated, resulting it may be in an affirmative vote one year and in a negative the next, thus causing a continual change in the schools alike as to policy, teachers, and studies. As the law now is, the question is left to the wise discretion of the school officers, and as experience in the past has abundantly taught, they have fairly represented the sentiments of the people in their action in this regard.

*Fourth*—It has ever been the pride and glory of Michigan that she has made liberal and wise provisions for the public schools. Good statesmanship demands that those provisions should in nowise be curtailed. The bill in question is a step backwards, and, in the opinion of your petitioners, is illiberal, and as a precedent, dangerous. Commence once to restrict the education to be obtained in the Primary Schools, and it is not easy to say when and where the process of restriction will cease. It is the first step that costs.

For the foregoing reasons and others which will readily occur to anyone who reflects upon the subject, your petitioners most earnestly protest against the passage of the bill above referred to, and as in duty bound will ever pray, etc.

No. 274. By Mr. Hawley: Petition of M. S. Smith, George Peck, C. A. Newcomb, Jacob Farrand and 500 others, in favor of House bill No. 3, File No. 47;

Referred to the committee on cities and villages.

#### REPORTS OF STANDING COMMITTEES.

By the committee on military affairs:

The committee on military affairs, to whom was referred  
Senate bill No. 200, entitled

A bill making an appropriation from the State military funds for the purchase of ground and the erection of an armory at Jackson for the use of State troops,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with the recommendation that the bill be printed for the use of the committee,

HENRY WOODRUFF, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Woodruff,

The bill was ordered printed, and re-referred to the committee.

By the committee on military affairs:

The committee on military affairs, to whom was referred  
Senate bill No. 295, entitled

A bill to enable volunteer military companies, other than those mustered as "State troops," in certain cases, to avail themselves of and be subject to the provisions of chapters 6, 7, 8, 9, 10, 11, and 12 of the compiled laws of 1871,

and of the amendments thereto, and the same being also the corresponding numbers of the chapters in Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with the recommendation that the bill be printed for the use of the committee.

HENRY WOODRUFF, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Woodruff,

The bill was ordered printed and re-referred to the committee.

By the committees on appropriations and finance:

The committees on appropriations and finance, to whom was referred Senate joint resolution No. 19, entitled

Joint resolution relating to the semi-centennial celebration of the admission of the State of Michigan into the Union,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

G. A. SMITH, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committees on appropriations and finance and northern asylum for the insane jointly:

The committees on appropriations and finance and northern asylum for the insane jointly, to whom was referred

Senate bill No. 107, entitled

A bill making an appropriation for furnishing and providing apparatus for the Northern Asylum for the Insane at Traverse City, Michigan,"

Respectfully report that they have had the same under consideration and have directed us to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

GEO. A. SMITH,

*Chairman committee on appropriations and finance.*

REUBEN KEMPF,

*Chairman committee on northern asylum for the insane.*

Report accepted and committees discharged.

On motion of Mr. G. A. Smith,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages to whom was referred

House bill No. 413, entitled

A bill to incorporate the village of Shelby in the county of Oceana,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCOIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Edwards,  
The rules were suspended, and the bill was placed on its immediate passage.  
The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Manwaring,	Mr. Shoemaker,
Brown,	Greiner,	Monroe,	Smith, G. A.
Carpenter,	Hawley,	Moon,	Smith, S. W.,
Carveth,	Heisterman,	Pennell,	Spencer,
Cline,	Hertzler,	Phelps,	Stephenson,
Curtiss,	Hueston,	Pulver,	Woodraft,
Davis,	Kempf,	Sherwood,	President
Edwards,			<i>pro tem.</i> , 30
			0

## NAYS.

Title agreed to.

On motion of Mr. Edwards,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate bill No. 29 (File No. 4), entitled

A bill for the better protection of labor debts;

Also,

Senate bill No. 44 (File No. 22), entitled

A bill to amend section 7606 of Howell's Annotated Statutes, being compiler's section 6026 of the compiled laws of 1871, relative to the trial of issues of fact;

Also,

Senate bill No. 54 (File No. 25), entitled

A bill to attach the county of Isle Royal to the county of Houghton, for judicial purposes;

Also,

Senate bill No. 60 (File No. 40), entitled

A bill to amend compiler's section 5727 of the compiled laws of 1871, being section 6 of chapter 257 of Howell's Annotated Statutes of Michigan, so as to specify the times for the issue and return of original writs in personal actions, and to provide for common return days for said writs;

Also,

Senate bill No. 70 (File No. 28), entitled

A bill to amend section 1 of chapter 10 of act 164 of the public acts of 1881, approved May 21, 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," as amended by act No. 28 of the session laws of 1883, approved April 18, 1883, being compiler's section 5132 of Howell's Annotated Statutes;

Also,

Senate bill No. 109, entitled

A bill to require the use of bells on either a team or sleigh during the winter season for the safety of foot travelers.

J. W. BELKNAP, *Chairman.*

Report accepted.

By the committee on railroads:

The committee on railroads, to whom was referred

Senate bill No. 345, entitled

A bill to amend section 5 of act No. 79 of the session laws of 1873, entitled "An act to provide for the appointment of a Commissioner of Railroads, and to define his powers, duties, and fix his compensation, and the acts amendatory thereof,"

Respectfully report that they have had the same under consideration, and directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. AUSTIN, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

Senate bill No. 326 (File No. 92), entitled

A bill supplementary to an act entitled "An act to revise the laws providing for the incorporation of railroad companies, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State," approved May 1, 1873,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. AUSTIN, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

Senate bill No. 236, entitled

A bill to amend sections nine and ten of article two of act number one hundred and ninety-eight, of the session laws of eighteen hundred and seventy three, entitled "An act to revise the laws providing for the incorporation of railroad companies and to regulate the running and management, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State," approved May 1, 1873, as amended by act number one hundred and seventy-seven of the Public Acts of 1877, approved May 22, 1877, as amended by Act No. 116 of the Public Acts of 1883, approved May 24, 1883, relative to the transportation of passengers and freight by railroad companies, being marginal sections 3323 and 3324 of Howell's Annotated Statutes of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it be printed for the use of the committee.

CHAS. AUSTIN, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Austin,

The bill was ordered printed for the use of the committee.

## MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, March 12, 1885.

*To the President of the Senate:*

SIR—I am instructed by the House to respectfully request the return of the following bill:

Senate bill No. 28 (File No. 21), entitled

A bill to amend section 70 and 71 of chapter 19 of Howell's Annotated Statutes, being compiler's sections 744 and 745, being section 706 and 707 of the compiled laws of 1871, relative to township boards.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

On motion of Mr. Pennell,

The request was granted, and the committee on engrossment and enrollment were directed to report the same back to the Senate.

Whereupon,

The following report was made:

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, to whom was referred

Senate bill No. 28 (File No. 21), entitled

A bill to amend sections 70 and 71 of chapter 19 of Howell's Annotated Statutes, being compiler's sections 744 and 745, being sections 706 and 707 of the compiled laws of 1871, relative to township boards,

Respectfully report the same back to the Senate in accordance with instructions.

J. W. BELKNAP, *Chairman.*

Report accepted.

By the committees on fisheries and printing:

The committees on fisheries and printing to whom was referred the following concurrent resolution:

*Resolved by the House of Representatives* (the Senate concurring), that 700 copies, in addition to the number of provided for by law, of the annual report of the State Board of Fish Commissioners for the years 1883-4, be allowed said Commission for distribution among the fishermen and other interested parties in the State, and that the State Board of Auditors be and are hereby directed to audit and allow the bill for printing the same,

Respectfully report that they have had the same under consideration and ascertained the cost of printing to be \$40, and have directed us to report the resolution back to the Senate, without amendment, and recommend that it be adopted, and ask to be discharged from the further consideration of the subject.

R. KEMPF,

*Chairman committee on fisheries.*

JOHN L. CURTISS,

*Chairman committee on printing.*

Report accepted and committees discharged.

On motion of Mr. Kempf,

The resolution was adopted.

## MESSAGES FROM THE HOUSE.

The President *pro tem.* announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 13, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:  
House bill No. 19 (File No. 131), entitled

A bill to repeal an act entitled “An act to promote immigration to Michigan,” approved April 3, 1869, and the act amendatory thereof, entitled “An act to amend sections 1 and 2 of an act entitled ‘An act to promote immigration in Michigan,’” being compiler’s sections 206 and 207 of the compiled laws of 1871, approved June 10, 1881, and to abolish the office of commissioner of immigration as by said act and amendatory act provided for, and to transfer the books and archives of said office to the office of the Secretary of State of the State of Michigan;

Which has passed the House by a majority vote of all the members elect and by a vote of two-thirds of all the members elect been ordered to take effect June 1st, 1885, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on State affairs.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 13, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to transmit the following bills:

1. House bill No. 284, entitled

A bill to organize the county of Alger from Schoolcraft county;

2. House bill No. 285, entitled

A bill to organize the township of Antrim, in Schoolcraft county;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on counties and townships.

The second named bill was read a first and second time by its title and referred to the committee on counties and townships.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 13, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 136 (File No. 44), entitled

A bill to amend sections 1, 2, 3, 4, 5, 6, and 7, of chapter 3, and sections 1, 2, and 4, of chapter 3, of act No. 326, being “An act to provide a charter for



the city of Detroit and to repeal all acts and parts of acts in conflict therewith;”

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on cities and villages.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 12, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 11 (File No. 19), entitled

A bill to incorporate the village of Manistique;

In the passage of which, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 12, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 7 (File No. 33) entitled

A bill to amend section 4 of act No. 191 of the session laws of 1877, as amended by act No. 216 of the session laws of 1881, being section 2368 of Howell's Annotated Statutes, relative to limited partnerships,

Which passed the House the 11th inst., as shown by former message, now to inform the Senate that the House has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 12, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 524, entitled

A bill to incorporate the village of Hanover, in the county of Jackson;

2. House bill No. 236, entitled

A bill to amend section 5 of chapter 3 of act No. 311 of the session laws 1881, in reference to the election of officers for the city of Stanton;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The second named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 13, 1885. }

*To the President of the Senate :*

SIR—I am instructed by the House to re-transmit to the Senate the following bill:

House bill No. 110 (File No. 37), entitled

A bill to provide for the payment of certain drain taxes apportioned on State lands in accordance with the provisions of section 21 of act number 269, session laws of 1881, being section 1711, Howell's Annotated Statutes of 1882,

In accordance with the request of the Senate for the same.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

On motion of Mr. G. A. Smith,

The rules were suspended to allow a motion to reconsider.

Mr. G. A. Smith moved to reconsider the vote by which the Senate passed the bill;

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. G. A. Smith,

The bill was laid on the table.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 13, 1885. }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 103 (File No. 132), entitled

A bill to amend an act entitled "An act directing the county clerk in each of the counties of this State to provide uniform ballots on constitutional amendments," being act 66 of the session laws of 1873, approved April 1, 1873, being continuous section 237 of Howell's Annotated Statutes;

2. House bill No. 224 (File No. 136), entitled

A bill to amend an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, being act No. 350, session laws of 1865, by adding two new sections to be designated as sections 12 and 13;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives,*

The first named bill was read a first and second time by its title and referred to the committee on constitutional amendments.

The second named bill was read a first and second time by its title, and referred to the committee on fisheries.

# MOTIONS AND RESOLUTIONS.

Mr. Shoemaker moved that the committee of the whole be discharged from the further consideration of

Senate bill No. 293, entitled

A bill to punish frauds upon hotel, tavern, inn, and boarding house keepers ; Which motion prevailed.

On motion of Mr. Shoemaker,

The bill was re-referred to the committee on State affairs.

Mr. Curtiss offered the following resolution :

*Resolved*, That when the Senate adjourn to-day it adjourn until to-morrow morning at 9 o'clock.

On motion of Mr. Sherwood,

The resolution was laid on the table.

# THIRD READING OF BILLS.

Senate bill No. 408 (File No. 74), entitled

A bill to vacate a State road in or near the city of Escanaba,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows :

# YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Kempf,	Mr. Sherwood,
Brown,	Francis,	Manwaring,	Shoemaker,
Carpenter,	Hawley,	Monroe,	Smith, S. W.,
Carveth,	Heisterman,	Moon,	Stephenson,
Cline,	Henry,	Pennell,	Woodruff,
Curtiss,	Hubbell,	Phelps,	President,
Davis,	Hueston,	Pulver,	<i>pro tem.</i> 27

# NAYS.

0

Title agreed to.

On motion of Mr. Stephenson,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 404 (File No. 77), entitled

A bill for the rebuilding, repair, and preservation of the bridges across the Au Sable river within the boundaries of the county of Oscoda, and providing for the election of a county bridge commissioner,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hertzler,	Mr. Sherwood,
Brown,	Francis,	Hueston,	Shoemaker,
Carpenter,	Greiner,	Manwaring,	Smith, S. W.,
Carveth,	Hawley,	Moon,	Spencer,
Cline,	Heisterman,	Pennell,	Stephenson,
Curtiss,	Henry,	Phelps,	President
Davis,			<i>pro tem.</i> , 25

## NAYS.

Mr. Hubbell,

1

Title agreed to.

Senate bill No. 89 (File No. 49), entitled

A bill to amend section 44, of chapter 46, of the compiled laws of 1871, being compiler's section 1735, and being also section 1676, of Howell's Annotated Statutes, relative to public health,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent, Mr. Edwards moved to amend the bill as follows:

By striking out in recited section 44 the words "measles" and "whooping cough,"

Which motion prevailed and the bill was so amended.

By unanimous consent,

Mr. Moon moved to further amend the bill as follows:

By striking out in the same section the words, "puerperal fever."

Mr. Hubbell moved that the bill be laid on the table,

Which motion did not prevail.

The question being on the motion to strike out the words, "puerperal fever,"

The motion prevailed, and the bill was so amended.

Mr. Shoemaker moved the previous question,

Which was not supported.

Mr. Manwaring moved that the bill be laid on the table,

Which motion did not prevail.

By unanimous consent, Mr. Carveth moved to further amend the bill as follows:

By inserting after the words "neglect immediately to give such notice" in section 44, the words "or who shall attend any woman in childbirth within one month after having attended a case of puerperal fever."

Which motion prevailed, and the bill was so amended.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Greiner,	Mr. Kempf,	Mr. Sherwood,
Brown,	Hawley,	Manwaring,	Smith, S. W.,
Carpenter,	Henry,	Monroe,	Spencer,
Carveth,	Hertzler,	Moon,	Woodruff,
Curtiss,	Hueston,	Phelps,	President
Edwards,			<i>pro tem.</i> , 21

## NAYS.

Mr. Oline,	Mr. Heisterman,	Mr. Pennell,	Mr. Shoemaker,
Francis,	Hubbell,	Pulver,	Smith, G. A., 8

The question being on agreeing to the title,

Mr. S. W. Smith moved to amend the title so as to read as follows :

A bill to amend section 44, of chapter 46, of the compiled laws of 1871, as amended by act No. 11, of the session laws of 1883, being compiler's section 1735, and being also section 1676 of Howell's Annotated Statutes, relative to public health ;

Which motion prevailed.

The title as amended was then agreed to.

House bill No. 77 (File 24), entitled

A bill to amend an act entitled "An act relative to justices' courts in the city of Detroit," being act No. 280 of the session laws of 1883, approved April 25, 1883,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent. Mr. Hawley moved to amend the enacting section of the bill so as to read as follows :

SECTION 1. *The People of the State of Michigan enact*, That sections 1, 2, 3, 4, 5, 6, 7 of an act entitled "An act relative to justices' courts in the city of Detroit, being act number 280 of the session laws of 1883, approved April 25, 1883, be and the same is hereby amended so as to read as follows, and to add a new section thereto to stand as section 8 ;

Which motion prevailed and the bill was so amended.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Shoemaker,
Brown,	Francis,	Manwaring,	Smith, G. A.,
Carpenter,	Hawley,	Monroe,	Smith, S. W.,
Carveth,	Heisterman,	Moon,	Spencer,
Cline,	Henry,	Pennell,	Stephenson,
Curtiss,	Hertzler,	Phelps,	Woodruff,
Davis,	Hubbell,	Pulver,	President

*pro tem.* 28

#### NAYS.

Mr. Greiner,

1

The question being on agreeing to the title,

Mr. Hawley moved to amend the title so as to read as follows ;

A bill to amend sections 1, 2, 3, 4, 5, 6, 7, of an act entitled "An act relative to justice courts in the city of Detroit, being act number 280 of the session laws of 1883," approved April 25, 1883, and to add a new section thereto to stand as section 8 ;

Which motion prevailed.

The title as amended was then agreed to.

Senate bill No. 214 (File No. 76), entitled

A bill to provide for the construction of a bridge across Black river, on the county line between the townships of Grant, in St. Clare county, and Worth in Sanilac county,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent, Mr. Cline moved to amend the bill as follows :

By adding to the end of section 2 the following :

"Provided that if said commissioners shall from any cause fail to let said contract in the year 1885, they shall let said contract in the year 1886 ;"

Which motion prevailed and the bill was so amended.

The bill as amended was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Sherwood,
Brown,	Greiner,	Kempf,	Smith, G. A.,
Carpenter,	Hawley,	Manwaring,	Smith, S. W.,
Carveth,	Heisterman,	Monroe,	Spencer,
Cline,	Henry,	Moon,	Stephenson,
Curtis,	Hertzler,	Pennell,	Woodruff,
Davis,	Hubbell,	Pulver,	President,
			<i>pro tem.</i> 28

## NAYS.

Mr. Francis,	Mr. Phelps,	2
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Title agreed to.

On motion of Mr. Cline,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The Senate returned to the order of

## MESSAGES FROM THE HOUSE.

The President *pro tem.* announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 13, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 89 (File No. 88), entitled

A bill to amend an act entitled "An act to reincorporate the village of Benton Harbor;

2. House bill No. 490, entitled

A bill to provide for the holding of elections of the township of Kalamazoo, in the county of Kalamazoo, in the corporate limits of the city of Kalamazoo;

3. House bill No. 735, entitled

A bill to authorize the township of Union, in Isabella county, Michigan, to borrow money to be used in public improvements in and for the benefit of the said township, and to issue bonds therefor;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The second named bill was read a first and second time by its title, and

On motion of Mr. Brown,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor by yeas and nays as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Kempf,	Mr. Sherwood,
Brown,	Greiner,	Manwaring,	Smith, G. A.,
Carpenter,	Heisterman,	Monroe,	Smith, S. W.,
Carveth,	Henry,	Moon,	Spencer,
Cline,	Hertzler,	Pennell,	Stephenson,
Curtiss,	Hubbell,	Phelps,	Woodruff,
Davis,	Hueston,	Pulver,	President,
			<i>pro tem.</i> , 28
			0

## NAYS.

Title agreed to.

On motion of Mr. Brown,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The third named bill was read a first and second time by its title, and

On motion of Mr. Woodruff,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Smith, G. A.,
Brown,	Francis,	Kempf,	Smith, S. W.,
Carpenter,	Greiner,	Monroe,	Spencer,
Carveth,	Heisterman,	Moon,	Stephenson,
Cline,	Henry,	Pennell,	Woodruff,
Curtiss,	Hertzler,	Phelps,	President
Davis,	Hubbell,	Sherwood,	<i>pro tem.</i> 27

## NAYS.

Mr. Manwaring,

1

Title agreed to.

On motion of Mr. Woodruff,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Davis asked and obtained leave of absence for himself indefinitely on account of sickness in his family.

Mr. Henry moved to take from the table,

House bill No. 110 (File No. 37), entitled

A bill to provide for the payment of certain drain taxes apportioned on State lands in accordance with the provisions of section 21 of act No. 269, session laws of 1881;

Which motion prevailed.

The bill having been read a time, and

The question being on the passage of the bill, pending the taking of the vote thereon,

By unanimous consent, Mr. Henry moved to amend the bill as follows:

By inserting in line 3, section 1, before the word "reported" the word "heretofore;"

Which motion prevailed and the bill was so amended.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Greiner,	Mr. Kempf,	Mr. Smith, G. A.,
Brown,	Hawley,	Manwaring,	Smith, S. W.,
Carpenter,	Heisterman,	Monroe,	Spencer,
Carveth,	Henry,	Moon,	Stephenson,
Oline,	Hertzler,	Pennell,	Woodruff,
Edwards,	Hubbell,	Phelps,	President
Francis,	Hueston,	Sherwood,	<i>pro tem.</i> 27

## NAYS.

0

Title agreed to.

On motion of Mr. Henry,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Hertzler asked and obtained leave of absence for himself until Monday.

Mr. Carpenter asked and obtained leave of absence for himself until Tuesday.

## GENERAL ORDER.

On motion of Mr. Hertzler,

The Senate went into committee of the whole on the general order,

Mr. Hertzler in the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following:

1. House bill No. 578, entitled

A bill to amend Sec. 2 of act No. 265 of the session laws of 1871, approved April 13, 1871, as amended by act No. 302 of the session laws of 1883, approved May 18, 1883, relative to the charter of the village of Dundee;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend its passage.

The committee of the whole have also had under consideration the following:

2. Senate bill No. 59 (File No. 39), entitled

A bill to provide for the review of motions for new trials by the supreme courts;

Have stricken out all after the enacting clause thereof, and ask the concurrence of the Senate in their action.

C. HERTZLER, *Chairman.*

Report accepted and committee discharged.

The first named bill was placed on the order of third reading of bills.

The question being on concurring in the action of the committee of the whole, in striking out all after the enacting clause of the second named bill,

Mr. Edwards called for the yeas and nays.

The Senate then did not concur by yeas and nays as follows:

## YEAS.

Mr. Carveth,	Mr. Kempf,	Mr. Phelps,	Mr. Shoemaker,
Curtiss,	Manwaring,	Sherwood,	Smith, G. A.,
Henry,	Pennell,		10

## NAYS.

Mr. Austin,	Mr. Francis,	Mr. Monroe,	Mr. Spencer,
Brown,	Hubbell,	Moon,	President
Edwards,	Hueston,	Pulver,	<i>pro tem.</i> 11



On motion of Mr. Edwards,  
The bill was recommitted to the committee on the judiciary.  
On motion of Mr. Brown,  
The Senate adjourned.

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*Lansing, Saturday, March 14, 1885.*

The Senate met and was called to order by the President *pro tem.* at 2 o'clock P. M.

Prayer by the Rev. Mr. Franklin.

Roll called; a quorum present.

Absent without leave, Senators Greiner, Hawley, Kemp, Pennell, Phelps, and G. A. Smith.

On motion of Mr. Manwaring,

Leave of absence was granted to Mr. Pennell for the day.

On motion of Mr. Austin,

Leave of absence was granted to Mr. G. A. Smith until Monday evening, March 16.

On motion of Mr. Moon,

Leave of absence was granted to Mr. Kempf for the day.

On motion of Mr. Austin,

Leave of absence was granted to Mr. Phelps for the day.

On motion of Mr. Sherwood,

Leave of absence was granted to Mr. Greiner for the day.

Mr. Cline asked and obtained leave of absence for Mr. Hawley for the day.

#### PETITIONS.

No. 275. By Mr. Henry: Copy of the proceedings of a meeting in Kings opera house, March 7, 1885, relative to the incorporation of Au Sable and Oscoda under one city government, and resolutions at that time adopted.

No. 276. By the same: Remonstrance of Charles Kelley, Webster J. Morris, and 18 other citizens of Au Sable village, against the incorporation of Au Sable and Oscoda under one government.

The two petitions were referred to committee on cities and villages.

No. 277. By Mr. Stephenson: Petition of P. Perkert, Joseph F. Cusham, and 4 other residents and tax-payers of Menominee, asking for a State prison in the Upper Peninsula;

Referred to the committee on State affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred

House bill No. 22 (File No. 93), entitled

A bill to provide for the uniform system of examination of teachers for the county of Alpena;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Carveth,

The bill was laid on the table.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred

House bill No. 21 (File No. 94), entitled

A bill to incorporate the public schools of the township of Green, in the county of Alpena;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on counties and townships:

The committee on counties and townships, to whom was referred

House bill No. 285, entitled

A bill to organize the township of Autrain, in Schoolcraft county,

Respectfully report that they have the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Francis,

The bill was laid on the table.

By the committee on counties and townships:

The committee on counties and townships, to whom was referred

House bill No. 284, entitled

A bill to organize the county of Alger from Schoolcraft county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the amendments made to the bill by the committee.

On motion of Mr. Francis,

The bill was laid on the table.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 524, entitled

A bill to incorporate the village of Hanover in the county of Jackson,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 236, entitled

A bill to amend section 5, chapter 3, of act 311, session laws of 1881, in reference to the election of officers for the city of Stanton,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 153 (File No. 46), entitled

A bill to amend section 3 of chapter 1, section 6 of chapter 6, section 10 of chapter 7, section 11 of chapter 8, section 4 of chapter 12, and section 27 of chapter 24 of an act entitled "An act to incorporate the city of Manistee," approved March 15, 1882,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 89 (File No. 88), entitled

A bill to amend an act entitled "An act to reincorporate the village of Benton Harbor,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the amendments made to the bill by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 112, entitled

A bill to amend section 5935 of the compiled laws of 1871, being section 7508 of Howell's Annotated Statutes, relative to printed laws, etc., of other States,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 104, entitled

A bill to amend section 41 of chapter 150 of the compiled laws of 1871, being section 5701 of Howell's Annotated Statutes, relative to discharges of mortgages,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary.

The committee on judiciary, to whom was referred

Senate bill No. 123, entitled

A bill to amend section 2 of chapter 165 of the compiled laws of 1871, being section 7694 of Howell's Annotated Statutes relative to adjournments of sales of real estate on execution,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 122, entitled

A bill to amend section 3, of act number 143, of the session laws of 1867, being section 8020 of Howell's Annotated Statutes of 1862 relative to attachment,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 119, entitled

A bill to amend section 552 of the compiled laws of 1871, being section 580 of Howell's Annotated Statutes of 1882, in relation to the appointment of deputy sheriffs,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 314, entitled

A bill to provide for indeterminate sentences, and the disposition, management and release of criminals under such sentence,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it be printed and recommitted to the judiciary committee.

JAY A. HUBBELL, *Chairman*.

Report accepted.

On motion of Mr. Hubbell,

The bill was ordered printed, and re-referred to the committee.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 344, entitled

A bill to amend section 107 of chapter 14 of the revised statutes of 1846, being section 597 of the compiled laws of 1871, and section 26 of Howell's Annotated Statutes, relative to the appointment of Notaries Public,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 94 (File No. 40), entitled

A bill to amend section 2 of chapter 109 of the revised statutes of 1846, being section 6267 of the compiled laws of 1871, relative to partition of lands owned by several persons,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 2, entitled

A bill to repeal act 122, of the session laws of 1869, entitled "An act to amend sections 1 and 3 of act No. 76, of the session laws of 1867, being an act entitled 'An act to provide for the appointment of a commissioner to be known as the State Swamp Land Road Commissioner,' approved March 21, 1867," also act 182, of the session laws of 1875, entitled "An act to amend sections 1 and 17 of an act to create a board of State swamp land commissioners, and to repeal act 76, of the session laws of 1867, being sections 4003 to 4019, both inclusive, of the compiled laws of 1871," and the several acts amendatory thereof, and to transfer the duties of said office to the commissioner of the State land office,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 252 (File No. 90), entitled

A bill to amend sections 185 and 186 of chapter 93 of the revised statutes of 1846, entitled "Of courts held by justices of the peace," being sections 7000 and 7001 of Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on labor:

The committee on labor, to whom was referred

House bill No. 2 (File No. 4), entitled

A bill to regulate the employment of children, young persons, and women in certain cases,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

J. W. MOON, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Moon,

The Senate concurred in the amendments made to the bill by the committee.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on labor:

The committee on labor, to whom was referred

House bill No. 65 (File No. 17), entitled

A bill to amend section 1, of act 94, of the session laws of 1883, entitled "An act to insure the payment of wages earned, and for materials used in constructing, repairing, or ornamenting public buildings and public works,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. W. MOON, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 551, entitled

A bill to amend sections 2, 3, 8, and 32 of an act entitled "An act to incorporate the village of Vermontville," being act No. 207 of the session laws of 1871 as amended by act No. 239 of the session laws of 1881, approved March 22, 1881,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Carveth,

The bill was laid on the table.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate bill No. 7 (File No. 38), entitled

A bill to amend section 4, of act No. 191, of the session laws of 1877, as amended by act No. 216, of the session laws of 1881, being section 2368, of Howell's Annotated Statutes, relative to limited partnerships;

Also,

Senate bill No. 11 (File No. 19), entitled  
A bill to incorporate the village of Manistique.

J. W. BELKNAP, *Chairman.*

Report accepted.

MESSAGE FROM THE GOVERNOR.

The President *pro tem.* announced the following:

EXECUTIVE OFFICE, }  
Lansing, March 13, 1885. }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State:

An act for the better protection of labor debts;

Also,

An act to amend section 7606 of Howell's Annotated Statutes, being compiler's section 6026 of the compiled laws of 1871, relative to the trial of issues of fact;

Also,

An act to attach the county of Isle Royal to the county of Houghton for judicial purposes;

Also,

An act to amend compiler's section 5727 of the compiled laws of 1871, being section 6 of chapter 257 of Howell's Annotated Statutes of Michigan, so as to specify the times for the issue and return of original writs in personal actions, and provide for common return days for said writs;

Also,

An act to amend section 1 of chapter 10 of act 164 of the public acts of 1881, approved May 21, 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," as amended by act No. 28 of the session laws of 1883, approved April 18, 1883, being compiler's section 5132 of Howell's Annotated Statutes;

Also,

An act to require the use of bells on either a team or sleigh during the winter season for the safety of foot travelers.

R. A. ALGER, *Governor.*

MESSAGES FROM THE HOUSE.

The President *pro tem.* announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 14, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bills:

1. Senate bill No. 214 (File No. 76), entitled

A bill to provide for the construction of a bridge across Black river on the county line between the township of Grant in St. Clair county and Worth in Sanilac county;

2. Senate bill No. 408 (File No. 74), entitled

A bill to vacate a State road in or near the city of Escanaba;

In the passage of which the House has concurred by a majority vote of all



the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The two bills were referred to the committee on engrossment and enrollment for enrollment.

The President *pro tem.*, also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, Mar. 14, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 580, entitled

A bill to create a board of public works for the city of East Saginaw, Michigan, and to define its powers and duties, and to repeal all laws in conflict therewith,

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on cities and villages.

#### MOTIONS AND RESOLUTIONS.

Mr. Edwards offered the following resolution:

WHEREAS, It is claimed in various quarters that grave irregularities and extravagance existed in the Quartermaster General's office during the administration of Governor Josiah W. Begole;

AND WHEREAS, It is desirable for the public good and intelligent legislation relative to the military affairs of this State, that a thorough investigation be made into the affairs and conduct of said office during said administration; therefore

*Resolved*, That a select committee of three be appointed to make such investigation and report the result thereof to the Senate, and that in the performance of said duty said committee be empowered to send for persons and papers and examine witnesses.

Mr. Sherwood moved that the resolution be referred to the committee on military affairs.

On motion of Mr. Austin,

The further consideration of the resolution was postponed until Tuesday, March 17.

Mr. Carveth moved to take from the table

House bill No. 551, entitled

A bill to amend sections 2, 3, 8, and 32 of an act entitled "Act act to incorporate the village of Vermontville, being act 217 of the session laws of 1871, as amended by act No. 329 of the session of 1881, approved March 22, 1881,

Which motion prevailed.

On motion of Mr. Carveth,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Monroe,	Mr. Smith, S. W.,
Brown,	Heisterman,	Moon,	Spencer,
Carveth,	Henry,	Pulver,	Stephenson,
Cline,	Hubbell,	Sherwood,	Woodruff,
Curtiss,	Hueston,	Shoemaker,	President
Edwards,	Manwaring,		<i>pro tem.</i> , 22

## NAYS.

0

Title agreed to.

On motion of Mr. Carveth,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Henry moved that the committee of the whole be discharge from the further consideration of

House bill No. 28 (File No. 122), entitled

A bill to amend sections 10, 11, 12, 13, 14, 16, 17, 21, 22, and 23 of chapter 50 of Howell's Annotated Statutes of Michigan for the year 1883, relating to the State public school for dependent and neglected children, being compiler's sections 1971, 1972, 1973, 1974, 1975, 1977, 1978, 1981, 1982, 1983, and to add a new section thereto which shall be known as section 18;

Which motion prevailed.

On motion of Mr. Henry,

The bill was recommitted to the committee on State public school.

Mr. Henry moved to take from the table

Senate joint resolution No. 3 (File No. 4), entitled

Joint resolution proposing an amendment to section 11 of article 5 of the constitution of the State, relative to reprieves, commutations, and pardons;

Which motion prevailed.

On motion of Mr. Henry,

The joint resolution was made a special order for March 19.

Mr. Francis moved to take from the table,

House bill No. 284, entitled

A bill to organize the county of Alger from Schoolcraft county,

Which motion prevailed.

On motion of Mr. Francis,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Monroe,	Mr. Smith, S. W.,
Brown,	Heisterman,	Moon,	Spencer,
Carveth,	Henry,	Pulver,	Stephenson,
Cline,	Hubbell,	Sherwood,	Woodruff,
Curtiss,	Hueston,	Shoemaker,	President
Edwards,	Manwaring,		<i>pro tem.</i> , 22

## NAYS.

0

Title agreed to.

On motion of Mr. Francis,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Francis moved to take from the table

House bill No. 285, entitled

A bill to organize the township of Autrain, in Schoolcraft county;

Which motion prevailed.

On motion of Mr. Francis,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Francis,	Mr. Monroe,	Mr. Smith, S. W.,
Brown,	Heisterman,	Moon,	Spencer,
Carveth,	Henry,	Pulver,	Stephenson,
Oline,	Hubbell,	Sherwood,	Woodruff,
Curtiss,	Hueston,	Shoemaker,	President
Edwards,	Manwaring,		<i>pro tem.</i> , 22

NAYS.

0

Title agreed to.

On motion of Mr. Francis,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

THIRD READING OF BILLS.

House bill No. 578, entitled

A bill to amend section 2 of act No. 265 of the session laws of 1871, approved April 13, 1871, as amended by act No. 302 of session laws of 1883, approved May 18, 1883, relative to the charter of the village of Dundee;

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Francis,	Mr. Monroe,	Mr. Smith, S. W.,
Brown,	Heisterman,	Moon,	Spencer,
Carveth,	Henry,	Pulver,	Stephenson,
Oline,	Hubbell,	Sherwood,	Woodruff,
Curtis,	Hueston,	Shoemaker,	President
Edwards.	Manwaring,		<i>pro tem.</i> , 22

NAYS.

0

Title agreed to.

On motion of Mr. Moon,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Houston moved the Senate adjourn,

Which did not prevail.

GENERAL ORDER.

On motion of Mr. Carveth,

The Senate went into committee of the whole on the general order,

Mr. Moon in the chair.

After some time spent therein, the committee rose, and, through their chairman, made the following report:

The committee of the whole have had under consideration the following:

1. House joint resolution No. 15 (File No. 11), entitled

Joint resolution to authorize the issue of a patent to Ezra Jones upon primary school land certificate number 144;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate and recommend its passage.

The committee of the whole have also had under consideration the following:

2. Senate bill No. 91 (File No. 85), entitled

A bill to amend sections 1 and 2 of chapter 10 of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement, and maintenance of highways and private roads, and the building, repairing, and preservation of bridges in this State," being sections 1408 and 1409 of the General Statutes of the State of Michigan as compiled and annotated by Andrew Howell;

3. Senate bill No. 127 (File No. 91), entitled

A bill to provide for the protection and benefit of keepers of stallions in this State;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

JOHN W. MOON, *Chairman*.

Report accepted.

The first named joint resolution was placed on the order of third reading of bills.

On motion of Mr. Moon,

The Senate concurred in the amendments made by the committee to the second named bills, and the same were placed on the order of third reading of bills.

On motion of Mr. Moon,

The Senate adjourned.

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*Lansing, Monday, March 16, 1885.*

The Senate met and was called to order by the President *pro tem.* at 2 o'clock P. M.

Prayer by the Rev. Mr. Taylor.

Roll called: a quorum present.

Absent without leave: Senators Carveth, Cline, Curtiss, Greiner, Hertzler, Manwaring, Phelps, Shoemaker, and Spencer.

Mr. Pennell asked and obtained indefinite leave of absence for Mr. Greiner on account of sickness.

Mr. Henry asked and obtained indefinite leave of absence for Mr. Carveth on account of sickness in his family.

Mr. Henry asked and obtained leave of absence for all other absentees for the day.

#### PETITIONS.

No. 278. By Mr. Henry: Remonstrance of Thomas Schamadon and 63 others, taxpayers of Au Sable village, against the incorporation of Au Sable and Oscoda under one city government;

Referred to the committee on cities and villages.

No. 279. By the same: Petition of Otto Goerick, James Erskine, and 185 other resident citizens of Presque Isle county, requesting that township 34 north of range 4, 5, and 6, and township 35 north of range 4 east, being townships of Moltke, Belknap, and Posen, be detached and set off from the now organized union school district of Presque Isle county;

Referred to the committee on education and public schools.

No. 280. By the same: Affidavit of George D. McKay relative to the proper distribution of notices calling a public meeting to determine the expediency of incorporating Au Sable and Oscoda under a city charter government;

Referred to the committee on cities and villages.

No. 281. By Mr. Woodruff: Petition of George W. Fouts, Thomas Hannett, and 97 others, citizens of Salt River, Isabella county, Michigan, for the establishment of a home for disabled sailors, etc.;

Referred to the committee on military affairs.

No. 282. By Mr. S. W. Smith: Petition of O. A. Law and 18 others of Oakland county for the passage of the pharmacy bill;

Referred to committee on public health.

No. 283. By Mr. S. W. Smith: Petition of Allen Campbell, 2nd, and 110 others of Oakland county for the passage of a law to prevent the manufacture and sale of oleomargarine and butterine;

Referred to the committee on State affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committee on State public school:

The committee on State public school, to whom was referred

House bill No. 28, entitled

A bill to amend sections 10, 11, 12, 13, 14, 16, 17, 21, 22, and 23 of chapter 50 of Howell's Annotated Statutes of Michigan for the year 1882, relating to the State public school for dependent and neglected children, being compiler's sections 1971, 1972, 1973, 1974, 1975, 1977, 1978, 1981, 1982, 1983, and to add a new section thereto which shall be known as section 18,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. R. HENRY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Henry,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

1. Senate bill No. 214 (File No. 76), entitled

A bill to provide for the construction of a bridge across Black river on the county line between the township of Grant in St. Clair county and Worth in Sanilac county.

2. Senate bill No. 408 (File No. 74), entitled

A bill to vacate a State road in or near the city of Escanaba.

J. W. BELKNAP, *Chairman.*

Report accepted.

MESSAGES FROM THE HOUSE.

The President *pro tem.* announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 14, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 129 (File No. 45), entitled

A bill providing for the employment and defining the duties and fixing the compensation of a stenographer for the fourth judicial circuit, State of Michigan;

2. House bill No. 85 (File No. 137), entitled

A bill to authorize the township of Spalding, in Saginaw county, to borrow money to be used either in purchasing the bridge of the Cass River Bridge Company, heretofore constructed across Cass river, or in the construction of a new bridge, and to issue bonds therefor;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 14, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 73 (File No. 30), entitled

A bill to amend section 14 of chapter 2, of act No. 164, of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being section 5046 of Howell's Annotated Statutes of Michigan;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 14, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to return to the Senate the following concurrent resolution:

*Resolved,* By the Senate (the House of Representatives concurring), That the Board of State Auditors be and is hereby requested to cause the elevator to the State capitol to be kept running during evening sessions of the Legislature and for a sufficient time after the close of such sessions to allow members and visitors an opportunity to leave the capitol by means of said elevator;

In the passage of which the House has concurred.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The message was laid on the table.

#### THIRD READING OF BILLS.

On motion of Mr. Hubbell,

The order of third reading of bills was passed.

#### GENERAL ORDER.

On motion of Mr. Hawley,

The Senate went into the committee of the whole, on the general order, Mr. Pennell in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following:

1. Senate bill No. 247 (File No. 94), entitled

A bill to amend section 17 of act No. 164 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being section 5049 of Howell's Annotated Statutes, relative to qualified voters at district elections;

2. Senate bill No. 320 (File No. 98), entitled

A bill to amend section 10 of act No. 164 of the public acts of 1877, approved May 21, 1877, being an act entitled "An act to authorize cities, incorporated villages, and townships to establish and maintain free public libraries and reading-rooms," being section 5184 of Howell's Annotated Statutes:

3. Senate bill No. 234 (File No. 101), entitled

A bill to amend section 2 of an act entitled "An act to authorize the formation of county and town agricultural societies," approved February 12, 1855, and amended by act 228 of the laws of 1881, being section 2169 of the compiled laws of 1871, the same being section 2304 of Howell's Annotated Statutes;

4. Senate bill No. 121 (File No. 78), entitled

A bill to prohibit the levying of highway and drain taxes on the islands in Saginaw Bay;

## 5. House bill No. 255 (File No. 117) entitled

A bill to provide for the inspection of commercial fertilizers and to regulate the sale thereof;

## 6. Senate bill No. 326 (File No. 93), entitled

A bill supplementary to an act entitled, "An act to revise the laws providing for the incorporation of railroad companies and to fix the duties and liabilities of all railroad, and other corporations, owning or operating any railroad in this State," approved May 1, 1873;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

The committee of the whole have also had under consideration the following:

## 7. House bill No. 292 (File No. 124), entitled

A bill to regulate the sale of adulterated honey;

## 8. Senate bill No. 212 (File No. 84), entitled

A bill to incorporate the village of Iron River in the county of Marquette;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following:

## 9. House bill No. 11 (File No. 15), entitled

A bill to repeal section 45 and to amend sections 46 and 47 of act No. 176 of the session laws of 1877, entitled "An act to regulate and govern the State House of Correction and Reformatory at Ionia;"

## 10. Senate joint resolution No. 17 (File No. 8), entitled

Joint resolution proposing an amendment to section forty-six of article four of the constitution of this State, relative to trial by jury;

## 11. Senate joint resolution No. 20 (File No. 9), entitled

Joint resolution proposing an amendment to section 10 of article 10 of the constitution of this State, relative to the board of auditors of Wayne county;

Have directed their chairman to report the same back to the Senate, with the recommendation that the bill and joint resolutions be laid on the table.

ORRIN G. PENNELL, *Chairman.*

Report accepted.

The six first named bills were placed on the order of third reading of bills.

On motion of Mr. Pennell,

The Senate concurred in the amendments made to the second named bills by the committee, and they were placed on the order of third reading of bills.

On motion of Mr. Pennell,

The last named bill and joint resolutions were laid on the table.

By unanimous consent the Senate returned to the order of

## MESSAGES FROM THE HOUSE.

The President *pro tem.* announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 16, 1885. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following bill:

House bill No. 17 (File No. 134), entitled

A bill to amend section 8 of an act entitled "An act to establish a board



of police and fire commissioners in the city of Grand Rapids, and to prescribe their powers and duties," approved May 24, 1881;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on cities and villages.

On motion of Mr. Brown,

The Senate adjourned.

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*Lansing, Tuesday, March 17, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.  
Prayer by the Rev. Mr. Brown.

Roll called; a quorum present.

#### PETITIONS.

No. 284. By Mr. L. C. Davis: Petition of the citizens of the southern part of Cheboygan county, asking for the passage of House bill No. 487, being a bill to detach certain territory from the counties of Cheboygan and Presque Isle, and to organize the same into a new county to be known as Sumner county.

No. 285. By Mr. Henry: Resolutions passed at a meeting held at Indian River, March 23, 1885, praying that a new county be made from certain territory to be detached from the southern portion of Presque Isle and Cheboygan counties;

The two petitions were referred to committee on counties and townships.

No. 286. By Mr. Hubbell: Petition of C. H. Cady, William Sims, and 89 citizens of Iron Mountain, Menominee county, for the establishment of a school of technology in the Upper Peninsula;

Referred to committee on State affairs.

No. 287. By Mr. Belknap: Petition of Mrs. O. H. Fellows, Mrs. Parmelia Duncan, and 15 others, of Kalamazoo county, asking for municipal suffrage for women;

Referred to the committee on the judiciary.

No. 288. By Mr. Stephenson: Petition of John Olin, W. R. Babcock, and 89 others, citizens of Norway, for the establishment of a State prison and house of correction in the Upper Peninsula.

No. 289. By the same: Petition of C. H. Cady, William Oliver and 89 citizens of Iron Mountain, Menominee county, for the same object.

No. 290. By the same: Petition of Harris L. Harris, Royal A. Jenny, R. H. Weller, and 126 other citizens of Chippewa County, for the same object.

The three petitions were referred to the committee on State affairs.

No. 291. By Mr. Shoemaker: Petition of W. H. Withington, Dan Griffith, George S. White, and Robert McKinstry, for the enactment of a law providing for a home for disabled soldiers, sailors, and marines in the State of Michigan.

No. 292. By Mr. Carpenter: Petition of B. F. Graves, L. O. Salsbury, H. J. Trupp, and 66 others, of Lenawee county, for the same object.

The two petitions were referred to the committee on military affairs.

No. 293. By Mr. Kempf: Remonstrance of L. Gruner, A. W. Hamilton, and 550 other citizen tax payers of the city of Ann Arbor, against the passage of the bill prohibiting the sale of liquor within five miles of the Michigan University.

On motion of Mr. Kempf, the remonstrance was referred to the committee on the judiciary and ordered printed in the Journal.

The following is the remonstrance:

We, the undersigned, citizens and tax-payers of Ann Arbor, believing that the bill introduced in the Legislature of this State to prohibit the sale of intoxicating liquors within five miles of the University of Michigan, would, if passed, bring great disaster to the business interest of Ann Arbor, and tend in no degree to advance the end in view, do most earnestly protest against the passage of the above-mentioned bill.

No. 294. By Mr. Hawley: Petition of Cornelius J. Reilly.

On motion of Mr. Hawley, the petition was referred to the committee on the judiciary.

#### REPORTS OF STANDING COMMITTEES.

By the committee on agricultural interests:

The committee on agricultural interests, to whom was referred

Senate bill No. 38 (File No. 14), entitled

A bill to prevent the spread of glanders and farcy;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

MANSON CARPENTER, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Carpenter,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on insurance:

The committee on insurance, to whom was referred

Senate bill No. 292, entitled

A bill to repeal section 16 of act No. 78 of the session laws of 1883, being an act entitled "An act to authorize the incorporation of manufacturers' mutual fire insurance companies,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

EDWARD E. EDWARDS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Edwards,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 130, entitled

A bill to confirm the sale of certain swamp lands to Martha M. Ingalls, and patent No. 25,810, issued to her upon such sale,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbard,

The Senate concurred in the amendments made to the bill by the committee.

On motion of Mr. Hubbard,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 196 (File No. 89), entitled

A bill to authorize and empower the township of Glencoe, in the county of Lake, to sue for and collect all moneys belonging to school district No. 1 in said township, to authorize and direct the supervisor of said township to institute criminal proceedings against any person or persons who have embezzled or may embezzle funds or property belonging to said district, and to authorize the township treasurer of said township, under the direction of the township board thereof, to receive, hold, or loan in trust all funds belonging to said district for the benefit thereof, and to act as trustee and custodian of the property and effects belonging thereto,

Respectfully report that they have had the same under consideration, and, have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 81 (File No. 30), entitled

A bill to amend section 5, chapter 160, compiled laws of 1871, being section 5967 of Howell's Annotated Statutes, relative to the partition and distribution of estates,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill 75 (File No. 31), entitled

A bill to amend section 3, chapter 163, of the compiled laws of 1871, being section 6027, of Howell's Annotated Statutes, relative to the sale of lands for the payment of debts, by executors, administrators, and guardians,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 200 (File No. 99), entitled

A bill to amend compiler's section 6217 of the compiled laws of 1871, relative to service of process in the action of ejectment, being section 7501 of Howell's Annotated Statutes of Michigan,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on supplies and miscellaneous expenses of the Senate:

The committee on supplies and miscellaneous expenses of the Senate, report the following bill:

State of Michigan, Dr., to Michigan Congress Water Co.:

For supply of Congress water for the Senate 7 days.....\$7 00

Furnished under direction of the Sergeant-at-arms of the Senate which they have had under consideration, and directed me to report the same to the Senate, and recommend its allowance, and ask to be discharged from the further consideration of the subject.

H. WOODRUFF, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Woodruff,

The bill was allowed.

By the committee on military affairs:

The committee on military affairs, to whom was referred

House joint resolution No. 9 (File No. 6), entitled

Joint resolution authorizing the Governor and military board to allow the Soldiers and Sailors' Association of central Michigan the use of tents and apparatus belonging to the State,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the

bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

HENRY WOODRUFF, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Woodruff,

The Senate concurred in the amendments made to the joint resolution by the committee.

The joint resolution was then referred to the committee of the whole, and placed on the general order.

By the committee on military affairs:

The committee on military affairs, to whom was referred

Senate joint resolution No. 18, entitled

A joint resolution to provide for alphabetically indexing the names of all soldiers from this State in the late war, found upon the records of the Adjutant General's office,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY WOODRUFF, *Chairman*.

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

Senate bill No. 242, entitled

A bill to amend section 2 of chapter 4 of act No. 326 of the session laws of 1883, entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 300 (File No. 121), entitled

A bill to amend sections 1 and 2 of title 9 of an act entitled "An act to revise the charter of the city of Grand Rapids, being amendatory of an act entitled "An act to incorporate the city of Grand Rapids," approved April 2, 1850, as amended by the several acts amendatory thereof, approved March 29, 1877, as amended by act No. 379 of the session laws of 1879, approved May 23, 1879, as amended by act No. 365 of the session laws of 1881, approved April 29, 1881,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the

bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 184 (File No. 123), entitled

A bill to amend section 4 of title 1; section 3 of title 2; sections 14 and 18 of title 3; sections 12, 23, and 33 of title 4; section 22 of title 5; sections 1, 2, and 4 of title 6; and section 10 of title 10, of an act entitled "An act to revise the charter of the city of Grand Rapids, being amendatory of an act entitled 'An act to incorporate the city of Grand Rapids, approved April 2, 1850,' as amended by the several acts amendatory thereof," approved March 29, 1877, as amended by act No. 379 of the session laws of 1879, approved May 23, 1879, as amended by act No. 365 of the session laws of 1881, approved April 29, 1881,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the amendments made to the bill by the committee,

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate bill No. 73 (File No. 30), entitled

A bill to amend section 14 of chapter 2, of act No. 164, of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being section 5046 of Howell's Annotated Statutes of Michigan.

J. W. BELKNAP, *Chairman*.

Report accepted.

#### MESSAGE FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICE, }  
Lansing, March 17, 1885. }

To the Senate:

I have this day approved, signed, and deposited in the office of the Secretary of State:

An act to vacate a State road in or near the city of Escanaba;

Also,

An act to incorporate the village of Manistique;

Also,

An act to amend section 4 of act No. 191 of the session laws of 1877, as amended by act No. 216 of the session laws of 1881, being section 2368 of Howell's Annotated Statutes, relative to limited partnerships;

Also,

An act to amend section 14 of chapter 2 of act No. 164 of the session laws of 1881, entitled "An act to revise and consolidate the law relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being section 5046 of Howell's Annotated Statutes of Michigan.

R. A. ALGER, *Governor*.

The message was laid on the table.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, {  
Lansing, March 17, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 347, entitled

A bill to incorporate the village of Bad Axe in the county of Huron;

2. House bill No. 219 (File No. 157), entitled

A bill to change the name of Mabel E. Wilber to Mabel E. Cook;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and

On motion of Mr. Heisterman,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor by yeas and nays as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Francis,	Kempf,	Shoemaker,
Brown,	Hawley,	Mauwaring,	Smith, S. W.,
Carpenter,	Heisterman,	Monroe,	Spencer,
Curtiss,	Henry,	Moon,	Stephenson,
Davenport,	Hertzler,	Pennell,	Woodruff,
Davis,	Hubbell,	Phelps,	

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#### NAYS.

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Title agreed to.

On motion of Mr. Heisterman,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The second named bill was read a first and second time by its title and referred to the committee on State affairs.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 17, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 69 (File No. 29), entitled

A bill to amend section 4 of act No. 347 of the session laws of 1873, entitled "An act to incorporate the board of education of the city of Hastings," approved April 2, 1873;

In the passage of which, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 17, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 94 (File No. 37), entitled

A bill to amend sections 2 and 3 of act 192 of the general laws of 1867, entitled "An act to provide for the incorporation of associations, conventions, conferences or religious bodies, for literary, religious or other benevolent purposes," approved March 27, 1867, being sections 3132 and 3133 of the compiled laws of 1871, and section 5 of act 4 of the public laws of 1875, amendatory thereto, being sections 4723, 4724, and 4726 of Howell's Annotated Statutes;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 17, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to transmit the following bills:

1. House bill No. 304 (File No. 126), entitled

A bill to provide for an attorney fee in the foreclosure of real estate mortgages by advertisement;

2. House bill No. 256 (File No. 153), entitled

A bill to amend section 1 of act No. 142 of the session laws of 1883, being an act entitled "An act to provide for selecting petit jurors in the Upper Peninsula;



3. House bill No. 525 (File No. 155), entitled

A bill to amend section 19 of chapter 3 of act No. 164 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," approved May 21, 1881, being compiler's section 5071 of the general statutes of the State of Michigan, compiled and annotated by Andrew Howell;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The third bill was read a first and second time by its title, and referred to the committee on education and public schools.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 17, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 148 (File No. 152), entitled

A bill to provide for the incorporation of societies for the promotion of the interests of trade and labor;

2. House bill No. 197 (File No. 130), entitled

A bill to amend compiler's section 5372 of the compiled laws of 1871 and all acts amendatory thereto and being compiler's section No. 6937 of Howell's Annotated Statutes relative to the transfer of causes in justices' courts;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN.

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on labor.

The second named bill was read a first and second time by its title and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 17, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 670 (File No. 146), entitled

A bill to amend sections 8, 10, 17, 32, 34, 50, 52, 58, 62, 66, 68, 78, 81, 84, 92, 94, and 103 of an act entitled an act to revise an act to incorporate the city of Bay City, approved March 21, 1865, as amended and revised by the several acts amendatory and revisionary thereof, and to add a new section thereto to stand as section 101 of said act;

Which has passed the House by a majority vote of all the members elect,

and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on cities and villages.

The President also announced the following:

HOUSE OF REPRESENTATIVES, {  
*Lansing, March 17, 1885. }*

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following concurrent resolution:

WHEREAS, We learn with sorrow that ULYSSES S. GRANT, our greatest soldier in days of peril, our honored President in the turbulent ebb of civil war and our esteemed citizen in time of peace, is borne down by an enemy that the sword, now in its scabbard cannot conquer;

WHEREAS, We recognize and remember with grateful feelings the personal qualities of bravery and courage of our great Chieftain as re-enacted by him, through his patience in suffering and his fortitude in pain;

WHEREAS, Michigan in the pride of her untarnished loyalty forgets not in time of trouble a brave defender of her cherished liberty; therefore

*Resolved*, That the House of Representatives, the Senate concurring, and in behalf of the people of the State of Michigan, extend to the hero of Appomattox, in his weary hours of suffering, the consolation of their sympathies born of admiration, memory, and gratitude;

*Resolved*, That our earnest desires are only expressed by many years of added blessings and usefulness to his life, and that the field of battle may be yet afar off where he shall fall upon death;

Which has passed the House by an unanimous vote of all the members present, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives,*

On motion of Mr. Hubbell,

The Senate concurred in the adoption of the resolutions unanimously, by a rising vote.

#### MOTIONS AND RESOLUTIONS.

Mr. Edwards moved that a respectful message be sent to the House requesting the return to the Senate of

House bill No. 413, entitled

A bill to incorporate the village of Shelby, in the county of Oceana;

Which motion prevailed.

Mr. Curtiss offered the following:

*Resolved* (the House concurring), That a joint committee consisting of two from the Senate and two from the House be appointed to provide for the distribution of the Legislative Manual;

Which was adopted.

Mr. G. A. Smith offered the following resolution:

*Resolved*, That the committee on appropriations and finance be and it is hereby authorized to visit the University or any other State institution it may think necessary, for the purpose of deciding upon the proper recommendations for appropriations;

Which was adopted.

Mr. Hubbell moved to discharge the committee of the whole from the further consideration of

Senate bill No. 2, entitled

A bill to repeal act 122, of the session laws of 1869, entitled "An act to amend sections 1 and 3 of act No. 76, of the session laws of 1867, being an act entitled 'An act to provide for the appointment of a commissioner to be known as the Swamp Land State Road Commissioner,' approved March 21, 1867," also act 182, of the session laws of 1875, entitled "An act to amend sections 1 and 17 of an act to create a board of State swamp land commissioners, and to repeal act 76, of the session laws of 1867, being sections 4003 to 4019, both inclusive, of the compiled laws of 1871," and the several acts amendatory thereof, and to transfer the duties of said office to the commissioner of the State land office;

Which motion prevailed.

On motion of Mr. Hubbell,

The bill was placed on the order of third reading of bills.

Mr. Shoemaker moved to discharge the committee of the whole from the further consideration of

House bill No. 524, entitled

A bill to incorporate the village of Hanover, in the county of Jackson;

Which motion prevailed

On motion of Mr. Shoemaker,

The bill was placed on the order of third reading of bills,

Mr. Henry moved to take from the table,

House bill No. 96 (File No. 28), entitled

A bill to amend section one of act No. 251 of the session laws of 1881, being section 2198 of Howell's Annotated Statutes, relative to the protection of game;

Which motion prevailed.

On motion of Mr. Henry,

The bill was placed on the order of third reading of bills.

Mr. Hueston moved to take from the table

Senate reprint of Senate bill No. 82 (File No. 93), entitled

A bill to regulate the practice of pharmacy in the State of Michigan;

Which motion prevailed.

The question being on the passage of the bill,

The same was read a third time, and pending the taking of the vote thereon,

By unanimous consent,

Mr. Hueston moved to amend the bill as follows:

To insert in Sec. 10, line 4, after the word "proper" the words "nor with the business of any retail dealer engaged in business at a distance of not less than five miles from the limits of any incorporated village or city, except physicians' prescriptions;"

Which motion prevailed, and the bill was so amended.

By unanimous consent, Mr. Pulver moved to further amend the bill as follows:

By striking out of section 1 the words "the Michigan Pharmaceutical Association shall annually report directly to the Governor, recommending the first year the names of at least ten persons, whom said association shall deem best qualified to serve as members of the Board of Pharmacy, and the names of at least three persons each year thereafter to fill any vacancies which shall occur in said board."

Mr. Pulver called for the yeas and nays.

The amendment was agreed to, by yeas and nays, as follows:

## YEAS.

Mr. Belknap, Carpenter, Cline, Curtiss,	Mr. Davenport, Henry, Hertzler,	Mr. Manwaring, Phelps, Pulver,	Mr. Shoemaker, Smith, G. A., Spencer,	13
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## NAYS.

Mr. Austin, Brown, Davis,	Mr. Francis, Heisterman, Hubbell,	Mr. Hueston, Monroe, Moon,	Mr. Pennell, Sherwood, Smith, S. W.,	12
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Mr. G. A. Smith moved to re-consider the vote by which the Senate adopted the last amendment.

Mr. Curtiss, called for the yeas and nays.

The motion to re-consider then prevailed by yeas and nays, as follows:

## YEAS.

Mr. Austin, Brown, Davis, Francis,	Mr. Hubbell, Hueston, Kempf, Monroe,	Mr. Moon, Sherwood, Smith, G. A., Smith, S. W.,	Mr. Spencer, Stephenson, Woodruff,	15
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## NAYS.

Mr. Belknap, Carpenter, Cline, Curtiss,	Mr. Edwards, Hawley, Heisterman, Henry,	Mr. Hertzler, Manwaring, Pennell,	Mr. Phelps, Pulver, Shoemaker,	14
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The question being on the adoption of the amendment, the same was adopted by yeas and nays, as follows:

## YEAS.

Mr. Belknap, Carpenter, Cline, Curtiss,	Mr. Davenport, Edwards, Hawley, Henry,	Mr. Hertzler, Manwaring, Pennell, Phelps,	Mr. Pulver, Shoemaker, Spencer,	15
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## NAYS.

Mr. Austin, Brown, Davis, Francis,	Mr. Heisterman, Hubbell, Hueston, Kempf,	Mr. Monroe, Moon, Sherwood,	Mr. Smith, G. A., Smith, S. W., Stephenson,	14
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The question being on the passage of the bill,

Mr. Edwards moved to recommit the bill to the committee of the whole;

Which motion did not prevail.

By unanimous consent Mr. Manwaring moved to further amend the bill as follows:

By striking out in section 5, lines 6 and 7, the words "his money shall be held to his credit for a second examination after six months," and inserting in lieu thereof the words "the money shall be returned to the applicant;"

Which motion prevailed and the bill was so amended.

By unanimous consent, Mr. Cline moved to further amend the bill as follows:

By inserting in section 3, line eight, after the word "report," the words "and render an account," and by striking out of line nine, of same section, after the word "association," the words "render an account;"

Which motion prevailed, and the bill was so amended.

By unanimous consent,

Mr. Cline moved to further amend the bill as follows;

By inserting in line 1, section 4, after the word "who," the words "is not a graduate of the Michigan school of pharmacy;"

Which motion did not prevail.

By unanimous consent, Mr. S. W. Smith moved to further amend the bill as follows:

By striking out of section 13, line 2, the word "circuit;"

Which motion prevailed and the bill was so amended.

By unanimous consent, Mr. Hawley moved to further amend the bill as follows:

By striking out all of section 13;

Which motion did not prevail.

By unanimous consent,

Mr. Henry moved to further amend the bill as follows:

By inserting in section 1, line 2, after the word "persons," the words "and annually thereafter one person;"

Which motion prevailed and the bill was so amended.

Mr. Davis moved to recommit the bill to the committee of the whole;

Which motion did not prevail.

By unanimous consent Mr. Shoemaker moved to further amend the bill as follows:

By striking out in section 7, line 10, after the word "neglect" the words "to procure his annual registration or," and in same line the word "other;" also in same section, line 12, after the word "dollars," where it last occurs, the words "and by an additional fine of not less than ten dollars, nor more than twenty dollars, for each calendar month he shall be so delinquent, and in default of payment thereof shall be imprisoned not less than ten days nor more than ninety days, or both such fine and imprisonment in the discretion of the court;"

Pending which,

On motion of Mr. Hueston,

The bill was recommitted to the committees on public health and the judiciary jointly.

#### THIRD READING OF BILLS.

House bill No. 524, entitled

A bill to incorporate the village of Hanover in the county of Jackson,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,  
Belknap,

Mr. Davis,  
Edwards,

Mr. Hubbell,  
Kempf,

Mr. Sherwood,  
Shoemaker,

Mr. Brown,	Mr. Francis,	Mr. Manwaring;	Mr. Smith, G. A.,	
Carpenter,	Hawley,	Monroe,	Spencer,	
Cline,	Heisterman,	Moon,	Stephenson,	
Curtiss,	Henry,	Pennell,	Woodruff,	
Davenport,	Hertzler,	Phelps,		27

NAYS.

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Title agreed to.

On motion of Mr. Shoemaker,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

House bill No. 96 (File No. 28), entitled

A bill to amend section 1 of act No. 251 of the session laws of 1881, being section 2198 of Howell's Annotated Statutes,

Was read a third time and

Mr. Spencer moved that he be allowed to offer an amendment at this time;

To which objection was made.

The question being on the motion to permit the amendment,

Mr. Henry called for the yeas and nays.

After considerable discussion,

Mr. Edwards moved the previous question on the motion to admit the amendment;

Which was demanded by a majority of the Senate.

The question being shall the main question be now put,

The same was ordered,

The question then being whether the Senate will receive the amendment proposed,

The same was received by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Cline,	Mr. Hueston,	Mr. Pennell,	
Belknap,	Curtiss,	Kempf,	Sherwood,	
Brown,	Hawley,	Manwaring,	Shoemaker,	
Carpenter,	Hertzler,	Monroe,	Spencer,	16

NAYS.

Mr. Davis,	Mr. Heisterman,	Mr. Phelps,	Mr. Smith, S. W.,
Edwards,	Henry,	Pulver,	Stephenson,
Francis,	Moon,	Smith, G. A.,	Woodruff,
			12

Mr. Spencer then moved to amend the bill as follows:

By inserting in section 1, line 13, after the word "State" and also after the word "deer," the words "Save only from the fifteenth day of October to the tenth day of November in each year;"

Pending which,

Mr. Hawley moved the previous question,

Which was not demanded.

The question being on the adoption of the amendment,

Mr. Hawley called for the yeas and nays.

The amendment was then not adopted by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Cline,	Mr. Hueston,	Mr. Pennell,	
Belknap,	Curtiss,	Kempf,	Sherwood,	
Brown,	Hawley,	Manwaring,	Spencer,	
Carpenter,	Hertzler,			14

## NAYS.

Mr. Davis, Edwards, Francis, Heisterman,	Mr. Henry, Monroe, Moon, Phelps,	Mr. Pulver, Shoemaker, Smith, G. A.,	Mr. Smith, S. W., Stephenson, Woodruff,
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14

The question being on the passage of the bill,

Mr. Edwards moved that Mr. Hubbell be excused from voting ;

Which motion did not prevail.

The bill was then not passed, a majority of all the Senators elect not voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Cline, Davis, Edwards, Francis,	Mr. Heisterman, Henry, Hubbell, Monroe,	Mr. Moon, Phelps, Pulver, Shoemaker,	Mr. Smith, G. A., Smith, S. W., Stephenson, Woodruff,
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16

## NAYS.

Mr. Austin, Belknap, Brown, Carpenter,	Mr. Curtiss, Hawley, Hertzler,	Mr. Hueston, Kempf, Manwaring,	Mr. Pennell, Sherwood, Spencer,
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13

Mr. Henry moved to reconsider the vote by which the Senate refused to pass the bill.

Mr. Hawley moved to lay the motion to reconsider on the table.

Mr. Hertzler called for the yeas and nays.

The motion did not prevail by yeas and nays as follows :

## YEAS.

Mr. Austin, Belknap, Brown, Carpenter,	Mr. Curtiss, Hawley, Hertzler,	Mr. Hueston, Kempf, Manwaring,	Mr. Pennell, Sherwood, Spencer,
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13

## NAYS.

Mr. Davis, Edwards, Francis, Heisterman,	Mr. Henry, Hubbell, Monroe, Moon,	Mr. Phelps, Pulver, Shoemaker, Smith, G. A.,	Mr. Smith, S. W., Stephenson, Woodruff,
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15

The question being on the motion to re-consider the vote by which the bill did not pass,

Mr. Hawley called for the yeas and nays.

The motion then prevailed by yeas and nays as follows :

## YEAS.

Mr. Davis, Edwards, Francis, Heisterman,	Mr. Henry, Hubbell, Hueston, Moon,	Mr. Phelps, Pulver, Shoemaker, Smith, G. A.,	Mr. Smith, S. W., Stephenson, Woodruff,
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15

## NAYS.

Mr. Austin, Belknap, Brown, Carpenter,	Mr. Curtiss, Hawley, Hertzler,	Mr. Kempf, Manwaring, Monroe,	Mr. Pennell, Sherwood, Spencer,
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13

The question being on the passage of the bill,  
On motion of Mr. Henry,  
The bill was laid on the table.  
On motion of Mr. Pulver,  
The Senate adjourned.

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*Lansing, Wednesday, March 18, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.  
Prayer by the Rev. Mr. Taylor.  
Roll called: a quorum present.  
Absent without leave: Senator Davenport.  
Mr. Manwaring asked and obtained leave of absence for Mr. Davenport for the day.

#### PETITIONS.

No. 295. By Mr. Hawley: Remonstrance of W. R. Burt, E. Richardson, T. E. Tarsney, and 45 others against House bill (File No. 118), amending the fish law.

On motion of Mr. Hawley the remonstrance was referred to the committee on fisheries and ordered printed in the Journal.

The following is the remonstrance:

*To the Honorable, the Legislature of the State of Michigan:*

We, the undersigned, earnestly remonstrate against the passage of House bill No. 226, entitled "A bill to amend section 3, of an act to protect fish and preserve the fisheries of this State," approved March 21st, 1865, designated as section 2165, chapter 63, of the general statutes in force, for the following reasons, to wit:

*First,* The bill is class legislation, because it makes an unjust and unreasonable discrimination in size of meshes to be used in favor of those fishing in waters south of the 43 parallel of north latitude.

*Second,* There is invested in this State in property for fishing purposes the value of about one million dollars (\$1,000,000), two-thirds of which property would be, by the passage of such bill rendered absolutely worthless, and which would ruin a great many poor men who have their all invested in the fishing business. The size of the mesh prescribed in said bill for pot, funnell, and hart, would make it impossible for fishermen to catch marketable size fish of any kind under three pounds in weight, and the herring product of the great lakes which enter largely into the sum total of the fisherman's earnings would be a total loss.

*Third,* Said bill is unconstitutional and illegal because it seeks to impair the obligation of contracts and because it provides for a forfeiture and confiscation of property purchased and used under an existing law.

*Fourth,* There are over six thousand men in this State employed in the fish-



ing business, a majority of whom would be thrown out of business should the bill become a law.

*Fifth*, There is a great deal of money invested in lands in this State used for fishing purposes, which lands cannot be utilized or used for any other purpose.

No. 296. By Mr. Davis: Remonstrance of Albert Bonley, Joseph S. Granger, Martin Connolly, and 150 other citizens of Bay City and county against the passage of House bill No. 226, entitled a bill to amend section 3 of an act entitled "An act to protect fish and preserve the fisheries of this State."

On motion of Mr. Davis,

The remonstrance was referred to the committee on fisheries and ordered printed in the Journal.

The following is the remonstrance:

*To the Honorable the Legislature of the State of Michigan:*

We the undersigned earnestly remonstrate against the passage of the House bill No. 226, entitled "A bill to amend section 3 of an act to protect fish and preserve the fisheries of this State," approved March 21, 1855, designated as section 2165, chapter 63, of the general statutes in force, for the following reasons, to wit:

*First*, The bill is class legislation because it makes unjust and unreasonable discrimination in size of meshes to be used, in favor of those fishing in waters south of the 43d parallel of north latitude:

*Second*, There is invested in this State in property for fishing purposes the value of about one million dollars (\$1,000,000), two-thirds of which property would be, by the passage of such bill, rendered absolutely worthless, and which would ruin a great many poor men who have their all invested in the fishing business. The size of the mesh prescribed in said bill for pot, funnell, and hart would make it impossible for fishermen to catch marketable sized fish of any kind under three pounds in weight and the herrings product of the great lakes, which enters largely into the sum total of the fishermen's earnings, would be a total loss;

*Third*, Said bill is unconstitutional and illegal because it seeks to impair the obligation of contracts, and because it provides for a forfeiture and confiscation of property purchased and sold under an existing law;

*Fourth*, There are over six thousand men in this State employed in the fishing business, a majority of whom would be thrown out of employment should the bill become a law;

*Fifth*, There is a great deal of money invested in lands in the State used for fishing purposes, which lands can not be utilized or used for any other purpose.

No. 297. By Mr. Sherwood: Petition of the president, board of trustees, and other citizens of Benton Harbor, relating to a bill amending their charter;

Referred to the committee on cities and villages.

No. 298. By Mr. Francis: Petition of John Dunlavy, Frederick Butts, and 74 other citizens of Manitou county, for the passage of the joint resolution introduced by Senator Francis, for the relief of said county;

Referred to the committee on State affairs.

No. 299. By Mr. Stephenson: Petition of E. L. Mason, J. B. Smith, and 86 others, of L'Anse, Baraga county, asking for the establishment of a State prison and house of correction in the Upper Peninsula;

No. 300. By the same: Petitioners of last petition for the establishment of a school of technology in the Upper Peninsula;

The two petitions were referred to the committee on State affairs.

No. 301. By Mr. Brown: Petition of J. T. Cobb and 99 others of Schoolcraft, Kalamazoo county, for legislation prohibiting the sale of liquors within five miles of the university of Ann Arbor;

Referred to the committee on liquor traffic.

#### REPORTS OF STANDING COMMITTEES.

By the committee on insurance:

The committee on insurance, to whom was referred

Senate bill No. 309, entitled

A bill to define the liability of fire and marine insurance companies and associations in case of loss to insured property,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

EDWARD E. EDWARDS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Phelps,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on insurance:

The committee on insurance, to whom was referred

Senate bill No. 197, entitled

A bill to amend section 2 of act No. 108 of the session laws of 1881 as amended, being compiler's section 4207 of Howell's Annotated Statutes, relative to insurance bureau,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

EDWARD E. EDWARDS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Edwards,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred

House bill No. 277 (File No. 119), entitled

A bill to prohibit all fishing with nets in Black river lake, Black river, and in the streams tributary to said lake in Ottawa county, and Kalamazoo lake and Kalamazoo river in Allegan county,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. KEMPF, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Moon,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Francis,	Kempf,	Shoomaker,
Brown,	Hawley,	Manwaring,	Smith, S. W.,
Carpenter,	Heisterman,	Moon,	Spencer,
Cline,	Henry,	Pennell,	Stephenson,
Curtiss,	Hertzler,	Phelps,	Woodruff,
Davis,	Hubbell,		

26

## NAYS.

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Title agreed to.

On motion of Mr. Curtiss,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on fisheries:

The committee on fisheries, to whom was referred

House bill No. 225 (File No 114), being

A bill to repeal sections 4 and 7 of an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1875, designated as sections 2166 and 2169, chapter 63, of the general statutes in force.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. KEMPF, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred

Senate bill No. 184, entitled

A bill to amend section 1, of act No. 350, of the session laws of 1865, approved March 21, 1865, entitled "An act to protect fish, and preserve the fisheries of this State," being section 2163 of the general statutes of the State of Michigan, compiled and annotated by Andrew Howell,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. KEMPF, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred

House bill No. 100 (File No. 50), entitled

A bill to establish a State Board of Fish Commissioners, and to repeal act No. 124, session laws of 1873, act No. 71, session laws of 1875, and act No. 3 session laws of 1882,

Respectfully report that they have had the same under consideration, and

have directed me to report the same back to the Senate without amendment and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. KEMPF, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was re-referred

Senate bill No. 293, entitled

A bill to punish frauds upon hotel, tavern, inn, and boarding house keepers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate with the accompanying substitute therefor with the same title, recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Phelps,

The Senate concurred in the adoption of the substitute reported for the bill by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate bill No. 69 (File No. 29), entitled

A bill to amend section 4 of act No. 347 of the session laws of 1873, entitled "An act to incorporate the board of education of the city of Hastings," approved April 2, 1873;

Also,

Senate bill No. 94 (File No. 37), entitled

A bill to amend sections 2 and 3 of act 192 of the general laws of 1867, entitled "An act to provide for the incorporation of associations, conventions, conferences or religious bodies, for literary, religious or other benevolent purposes," approved March 27, 1867, being sections 3132 and 3133 of the compiled laws of 1871, and section 5 of act 4 of the public laws of 1875, amendatory thereto, being sections 4723, 4724, and 4726 of Howell's Annotated Statutes.

J. W. BELKNAP, *Chairman.*

Report accepted.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 136 (File No. 44), entitled

A bill to amend sections 1, 2, 3, 4, 5, 6, and 7, of chapter 2, and sections 1, 2, and 4, of chapter 3, of act No. 326, being "An act to provide a charter for the city of Detroit and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment,

and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Francis:

The bill was referred to the committee of the whole and made a special order for Thursday afternoon, March 19,

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 131, entitled

A bill to amend section 1 of act No. 142 of session laws of 1883, being an act entitled "An act to provide for selecting petit jurors in the Upper Peninsula,"

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State library:

The committee on State library, to whom was referred

Senate bill No. 169, entitled

A bill to amend sections 2 and 7 of act No. 169 of the public acts of 1881, to increase the salary of the State librarian,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

THOMAS D. HAWLEY, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

#### REPORTS OF SELECT COMMITTEES.

The special committee which was created by the Senate for the purpose of enquiring as to the propriety and expediency of the State making some definite provision for the maintenance and care of its idiotic and imbecile, would respectfully report that they have given to the subject all the thought and investigation which time and opportunity would allow, and submit the following as the result of their enquiries and deliberations: The federal census of 1880 discloses the fact that the idiotic and feeble-minded of our population is equal to the number that are insane. That according to such census there are 76,895 of such class within the United States, of which number there are 2,181 within the borders of our State; that there are probably 700 of the number who are under 21 years of age.

From reports of superintendents of the poor, made in January last, from 50 of the 80 counties of Michigan, it appears that there are 382 of such class in the county poorhouses, and therefore now supported by the people. The question then which presents itself is not one of assumption of new and

additional burdens by the State, but rather is it, one as to the best method of affording relief to the unfortunate and helpless class of idiots and imbeciles. Actuated by a broad and liberal philanthropy, and by the progressive spirit of the age, Michigan has made wise and adequate provisions for the care of her insane, her deaf and dumb, her blind, her poor, and also her fallen daughters, and is it not a duty equally imperative for her to afford needful guardianship and care to that portion of her children who by reason of defective mental powers, and of feeble and darkened preceptions are wholly unable to take care of themselves. If it be granted that it is the duty of the State to afford a home and a refuge for her unprotected idiotic and feeble minded, the question would still remain for determination how, and in what manner can that duty be most wisely and economically executed.

In the solution of this problem we may be greatly aided by the experience and practice of various States of the Union, as illustrated by their treatment of their idiotic and imbecile. From reports made by superintendents of institutions having charge of this class of unfortunates, in a number of States, your committee have obtained the following facts:

New York, in 1851, established at Syracuse an institution expressly for idiots and feeble-minded, and at every session since then her Legislature has made appropriations for its support, and it is now in a highly satisfactory condition. New York has also two other similar institutions, one of which is supported by the State. Massachusetts has two institutions of like character established many years ago which have been very successful. Connecticut, Kentucky, Iowa, Minnesota, and Kansas have each an institution for the same purpose, founded years since, all of which have proved a success. Illinois established a similar institution 20 years ago, and its superintendent gives a very encouraging report of its prosperity. Indiana has one of the same kind which has been in operation seven years, and is reported in a prosperous condition.

Pennsylvania has a training school for idiots and imbeciles which was founded thirty-three years ago, and it has proved a great success in imparting physical instruction to its inmates, thus making them partially self-supporting. Ohio established twenty-nine years ago at Columbus, an institution for the care and education of the feeble minded, and the results of the policy then inaugurated have been uniformly satisfactory to the people of the State. In no instance, in all the States enumerated, has there been failure connected with the workings of institutions which were created for and exclusively devoted to the care and training of idiots and imbeciles.

From the foregoing it will appear that the question and policy of making provision by legislative enactment for the care and guardianship of idiots and imbeciles is not a new one, on the contrary, it is one which for many years has engaged the earnest thought and the active sympathy of many of the States surrounding us.

Not alone in our own land and country has this question of governmental care and protection of this class been considered. England, as long ago as 1853, established five great institutions for the care of idiots and imbeciles, besides which there are many private institutions in England devoted to the same purpose. France, Sweden, Germany, Holland, and Switzerland have for many years had large and eminently successful institutions of the same character.

Therefore, in pursuing the inquiries which was referred to your committee,

there would seem to be no doubt of the feasibility of the plan or system which secures custodial care and training to the idiotic and imbecile by an establishment exclusively devoted to that purpose.

When a State is considering a question of adopting a policy (which is new to it) which will affect the condition and welfare of any class of its citizens, it is always prudent to inquire as to the fruits or results of that policy, whenever and wherever it has had a practical test.

A number of years ago there was a society in London which was composed of many eminent philanthropists of Great Britain, which society appointed a committee which was directed to inquire into and report upon the best means or method of making provision for custodial care and guardianship of idiots and imbeciles. After much investigation and patient and protracted inquiry said committee reported that "idiots and imbeciles should be treated distinctively from other classes." That the education and training of idiots and imbeciles should commence when they are young and should be based on physical considerations.

In the prosecution of the enquiry referred, your committee find that in every State and country where this subject has been considered, and definite action has been taken, it has been the invariable rule to provide for treatment and care of idiots and imbeciles distinct and separate from all other classes of dependents; and your committee are confronted with the farther fact, that there are now in poor-houses in fifty of the eighty counties of this State 382 idiots and imbeciles, and therefore are now a necessary and an inevitable burden upon the people of the State, and that it is the uniform testimony of all who have had experience in the care of this unfortunate class, in this country and in Europe, that a poor-house is an unfit place in which to provide for the wants or improve the condition of idiots and imbeciles. Especially is this true with regard to feeble minded females, who amid the surroundings and conditions of the county poor-house are constantly exposed to danger and irreparable wrong, and whose defenseless condition renders them fit subjects for adequate protection and guardianship on the part of the State.

With regard to specific measures to meet the present condition of things to some extent, it might be well for the State to take the initial by providing for a part, at least, of the idiots and imbeciles who are now in county houses. Such provision might be made by renting some suitable building (if the same could not be obtained by donation) where the policy of affording distinct and exclusive training and custodial care to this unfortunate class may be given, and which hitherto has been denied them in this State. The work of caring for this class was commenced in several States in the manner here indicated.

Michigan justly holds a high position on account of the number and excellence of her public institutions.

As citizens, we are justly proud of her high and commanding rank among the sisterhood of States, and she should not behind any in wise and considerate provisions for any of her defenceless and unfortunate children. Let her then emulate the example of other States and move forward in the advancing tide to a still higher civilization.

S. F. BROWN, *Chairman*.  
MANSON CARPENTER,  
CHRISTIAN HERTZLER,

Report accepted.

## MESSAGE FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICE,  
Lansing, March 18, 1885. }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State,

An act to provide for the construction of a bridge across Black river on the county line between the townships of Grant in St. Clair county and Worth in Sanilac county.

R. A. ALGER, *Governor*.

The message was laid on the table.

## MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 18, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to re-transmit to the Senate the following bill:

House bill No. 413, entitled

A bill to incorporate the village of Shelby, in the county of Oceana,

In compliance with the request of the Senate for the return of the same this day received.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

Mr. Edwards moved to suspend the rules for the purpose of reconsidering the vote by which the bill was passed;

Which motion prevailed.

Mr. Edwards moved to reconsider the vote by which the Senate passed the bill;

Which motion prevailed.

The question being on the passage of the bill, pending the taking of the vote thereon,

By unanimous consent Mr. Edwards moved to amend the bill as follows:

By inserting in section four, between the words "the" and "duties," the words "powers and;"

Which motion prevailed, and the bill was so amended.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Francis,	Kempf,	Shoemaker,
Brown,	Hawley,	Manwaring,	Smith, G. A.,
Carpenter,	Heisterman,	Moon,	Spencer,
Cline,	Henry,	Pennell,	Stephenson,
Curtiss,	Hertzler,	Phelps,	Woodruff,
Davis,	Hubbell,		

26

## NAYS.

0

Title agreed to.



On motion of Mr. Edwards,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 18, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 183 (File No. 73), entitled

A bill to amend and revise the charter of the city of Port Huron;

2. House bill No. 111, entitled

A bill to restrict the powers of the commissioner of highways of the township of Republic in the county of Marquette, and to authorize the township board of said township to provide for maintaining the streets, sidewalks, crosswalks, and alleys now and hereafter built in the village of Republic, and to maintain a fire department, and to regulate and license auctioneers and peddlers in said village;

3. House bill No. 603 (File No. 151), entitled

A bill to incorporate the city of Wyandotte, and to repeal act No. 297 of the session laws of 1867, approved March 5, 1867, and all acts amendatory thereto;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on cities and villages.

The second named bill was read a first and second time by its title, and referred to the committee on counties and townships and roads and bridges, jointly.

The third named bill was read a first and second time by its title and referred to the committee on cities and villages.

#### MOTIONS AND RESOLUTIONS.

Mr. Henry moved to take from the special order of March 19 the following: Senate joint resolution No. 3 (File No. 4), entitled

Joint resolution proposing an amendment to section 11 of article 5 of the constitution of this State, relative to reprieves, commutations, and pardons;

Which motion prevailed.

On motion of Mr. Henry,

The joint resolution was made a special order for March 26.

Mr. Spencer moved to discharge the committee of the whole from the further consideration of

Senate bill No. 172 (File No. 100), entitled

A bill to provide for the examination of teachers by the school board of union school district No. 1, township of Fenton, Genesee county, Michigan,

Which motion prevailed.

On motion of Mr. Spencer,

The bill was placed on the order of third reading of bills.

Mr. Cline moved to discharge the committee of the whole from the further consideration of

Senate bill No. 186 (File No. 125) entitled

A bill to incorporate the village of Brockway Center, in the county of St. Clair,

Which motion prevailed.

On motion of Mr. Francis,

The bill was placed on the order of third reading.

### THIRD READING OF BILLS.

Senate bill No. 212 (File No. 84), entitled

A bill to incorporate the village of Iron River, in the county of Marquette,

Was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards.	Mr. Kempf,	Mr. Shoemaker,
Belknap,	Francis,	Manwaring,	Smith, G. A.,
Brown,	Heisterman,	Moon,	Smith, S. W.,
Carpenter,	Henry,	Pennell,	Spencer,
Cline,	Hertzler,	Phelps,	Stephenson,
Curtis,	Hubbell,	Sherwood,	Woodruff,
Davis,	Hueston,		

26

#### NAYS.

0

Title agreed to.

On motion of Mr. Stephenson,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate joint resolution No. 15 (File No. 11), entitled

Joint resolution to authorize the issue of a patent to Ezra Jones upon primary school land certificate number 144,

Was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Francis,	Kempf,	Shoemaker,
Brown,	Heisterman,	Manwaring,	Smith, G. A.,
Carpenter,	Henry,	Moon,	Spencer,
Cline,	Hertzler,	Pennell,	Stephenson,
Curtiss,	Hubbell,	Phelps,	Woodruff,
Davis,			

25

#### NAYS.

0

Title agreed to.

On motion of Mr. Pennell,

By a vote of two-thirds of all the Senators elect, the joint resolution was ordered to take immediate effect.

Senate bill No. 186 (File No. 125), entitled

A bill to incorporate the village of Brockway Centre in the county of St. Clair,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hubbell,	Mr. Phelps,	
Belknap,	Edwards,	Hueston,	Sherwood,	
Brown,	Francis,	Kempf,	Shoemaker,	
Carpenter,	Heisterman,	Manwaring,	Spencer,	
Cline,	Henry,	Moon,	Woodruff,	
Curtiss,	Hertzler,	Pennell,		23

## NAYS.

0

Title agreed to.

On motion of Mr. Cline,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 91 (File No. 85), entitled

A bill to amend sections 1 and 2 of chapter 10 of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement, and maintenance of highways and private roads, and the building, repairing, and preservation of bridges in this State," being sections 1408 and 1409 of the General Statutes of the State of Michigan as compiled and annotated by Andrew Howell,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent. Mr. Sherwood moved to amend the bill as follows:

By striking out in section 2, line 2, the word "fifty," and inserting in lieu thereof the word "twenty-five;"

Which motion prevailed and the bill was so amended.

By unanimous consent,

Mr. Henry moved to further amend the bill as follows:

1. "By striking out in section 1 the words, "*Provided*, That the provisions of this chapter in whole or in part shall not be deemed mandatory in townships in which the electors may by a vote at a township meeting thus determine;"

2. By adding to the end of section 2 the following proviso:

*Provided*, That said sums shall not be so credited unless said trees shall live six months after they are so planted: *And provided further*, That this act shall only apply to highways along and by the side of improved and cultivated farming lands.

Mr. Shoemaker called for a division of the question.

The motion to strike out then did not prevail.

The motion to insert the first proviso then did not prevail.

The motion to insert the second proviso then prevailed, and the bill was so amended.

By unanimous consent, Mr. Manwaring moved to further amend the bill as follows:

By striking out in section 1, line 3, the word "thirty-three," and inserting in lieu thereof the word, "twenty-five;"

Which motion prevailed and the bill was so amended.

Mr. Cline moved to strike out the enacting clause.

Mr. Cline called for the yeas and nays.

The motion then prevailed, by yeas and nays as follows:

## YEAS.

Mr. Austin, Belknap, Brown, Carpenter, Cline,	Mr. Curtiss, Edwards, Francis, Hubbell, Kempf,	Mr. Monroe, Moon, Phelps, Sherwood,	Mr. Shoemaker, Smith, G. A., Stephenson, Woodruff,
			18

## NAYS.

Mr. Davis, Henry,	Mr. Hueston, Manwaring,	Mr. Pennell,	Pulver,
			6

On motion of Mr. Manwaring,

The bill was laid on the table.

Senate bill No. 127 (file No. 127), entitled

A bill to provide for the protection and benefit of keepers of stallions in this State,

Was read a third time and the question being upon its passage, pending the taking of the vote thereon,

Mr. Hubbell moved to strike out the enacting clause.

Mr. Hubbell called for the yeas and nays.

The motion then did not prevail by yeas and nays as follows :

## YEAS.

Mr. Belknap, Brown, Carpenter,	Mr. Davis, Francis, Hubbell,	Mr. Phelps, Pulver, Sherwood,	Mr. Smith, G. A., Woodruff,
			11

## NAYS.

Mr. Austin, Curtiss, Edwards, Heisterman,	Mr. Henry, Hertzler, Hueston,	Mr. Manwaring, Moon, Shoemaker,	Mr. Smith, S. W., Spencer, Stephenson,
			13

Mr. Henry moved that he be allowed to offer an amendment at this time.

Mr. Hubbell objected.

Mr. Henry's motion then prevailed, and he offered the following amendment:

By striking out in section 2, lines 5 and 6, the following words: "Such certificate shall be verified by the affidavit of the person making the same:"

Which motion did not prevail.

The bill was then not passed, a majority of all the Senators elect not voting therefor, by yeas and nays as follows:

## YEAS.

Mr. Austin, Curtiss, Heisterman, Henry,	Mr. Hertzler, Hueston, Manwaring,	Mr. Moon, Sherwood, Shoemaker,	Mr. Smith, S. W., Spencer, Stephenson,
			13

## NAYS.

Mr. Belknap, Brown, Carpenter,	Mr. Davis, Francis, Hubbell,	Mr. Kempf, Pennell, Phelps,	Mr. Pulver, Smith, G. A., Woodruff,
			12

Mr. Henry moved to reconsider the vote by which the Senate refused to pass the bill.

Mr. Hubbell moved to lay the motion on the table.

Mr. Hertzler called for the yeas and nays.

The motion then did not prevail, by yeas and nays as follows:

## YEAS.

Mr. Belknap,	Mr. Davis,	Mr. Kempf,	Mr. Pulver,
Brown,	Francis,	Manwaring,	Smith, G. A.,
Carpenter,	Hubbell,	Phelps,	Woodruff, 12

## NAYS.

Mr. Austin,	Mr. Henry,	Mr. Monroe,	Mr. Shoemaker,
Curtiss,	Hertzler,	Moon,	Smith, S. W.,
Edwards,	Hueston,	Sherwood,	Spencer,
Heisterman,			13

The question being on the motion to reconsider the vote by which the Senate refused to pass the bill,

Mr. Henry moved a call of the Senate.

Mr. Henry called for the yeas and nays.

The motion then did not prevail, by yeas and nays as follows:

## YEAS.

Mr. Edwards,	Mr. Henry,	Mr. Shoemaker,	Mr. Stephenson,
Heisterman,	Moon,	Spencer,	7

## NAYS.

Mr. Austin,	Mr. Davis,	Mr. Kempf,	Mr. Pulver,
Belknap,	Francis,	Manwaring,	Smith, G. A.,
Brown,	Hubbell,	Monroe,	Smith, S. W.,
Carpenter,	Hueston,	Phelps,	Woodruff, 16

The question being on the motion to reconsider the vote by which the Senate refused to pass the bill,

Mr. S. W. Smith called for the yeas and nays.

The motion then prevailed by yeas and nays as follows:

## YEAS.

Mr. Austin,	Mr. Henry,	Mr. Moon,	Mr. Smith, S. W.,
Curtiss,	Hertzler,	Sherwood,	Spencer,
Edwards,	Hueston,	Shoemaker,	Stephenson,
Heisterman,	Manwaring,		14

## NAYS.

Mr. Belknap,	Mr. Francis,	Mr. Monroe,	Mr. Pulver,
Brown,	Hubbell,	Pennell,	Smith, G. A.,
Carpenter,	Kempf,	Phelps,	Woodruff,
Davis,			13

The question being on the passage of the bill,

On motion of Mr. Henry,

The bill was laid on the table.

Senate bill No. 172 (File No. 100), entitled

A bill to provide for the examination of teachers by the school board of Union school district number one, township of Fenton, Genesee county, Michigan,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin, Belknap, Brown, Carpenter, Curtiss, Edwards,	Mr. Francis, Heistorman, Henry, Hertzler, Hueston,	Mr. Kempf, Manwaring, Monroe, Moon, Sherwood,	Mr. Shoemaker, Smith, G. A., Smith, S. W., Spencer, Stephenson,
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21

## NAYS.

Mr. Hubbell,	Mr. Phelps,	Mr. Woodruff,	3
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Title agreed to.

On motion of Mr. Spencer.

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. G. A. Smith moved that there be a call of the Senate,

Which motion prevailed.

Roll call; quorum present.

Absent without leave: Senators Cline, Hawley, and Pennell.

The Sergeant-at-Arms was dispatched by the President for the absentees.

On motion of Mr. Manwaring,

All further proceedings under the call, except bringing in the absentees, was dispensed with.

The sergeant-at-arms announced Mr. Pennell at the bar of the Senate

On motion of Mr. Austin,

Mr. Pennell was admitted within the bar, rendered an excuse, and took his seat.

Mr. Pennell asked and obtained leave of absence for himself for the balance of the afternoon on account of sickness.

The sergeant-at-arms announced Mr. Hawley at the bar of the Senate,

On motion of Mr. Shoemaker,

Mr. Hawley was admitted within the bar, rendered an excuse, and took his seat.

The sergeant-at-arms announced Mr. Cline at the bar of the Senate.

On motion of Mr. Hubbell,

Mr. Cline was admitted within the bar, rendered an excuse, and took his seat.

Senate bill No. 326 (File No. 92), entitled

A bill supplementary to an act entitled "An act to revise the laws providing for the incorporation of railroad companies, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State," approved May 1, 1873,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin, Belknap, Brown, Carpenter, Francis,	Mr. Hawley, Heistorman, Henry, Hertzler, Hubbell,	Mr. Hueston, Kempf, Monroe, Moon,	Mr. Pulver, Smith, G. A., Smith, S. W., Stephenson,
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18

## NAYS.

Mr. Cline, Curtiss,	Mr. Davis, Manwaring,	Mr. Phelps,	Mr. Woodruff,	6
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Title agreed to.

Mr. Stephenson moved that the bill be ordered to take immediate effect;  
Which motion did not prevail.

House bill No. 255 (File No. 117), entitled

A bill to provide for the inspection of commercial fertilizers and to regulate the sale thereof,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Francis,	Kempf,	Shoemaker,
Brown,	Hawley,	Manwaring,	Smith, G. A.,
Carpenter,	Heisterman,	Monroe,	Smith, S. W.,
Cline,	Henry,	Moon,	Spencer,
Curtiss,	Hertzler,	Phelps,	Stephenson,
Davis,	Hubbell,	Pulver,	Woodruff, 28

NAYS.

0

Title agreed to.

Senate bill No. 121 (File No. 78), entitled

A bill to prohibit the levying of highway and drain taxes on the islands in Saginaw Bay,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Shoemaker,
Belknap,	Francis,	Kempf,	Smith, G. A.,
Brown,	Hawley,	Manwaring,	Smith, S. W.,
Carpenter,	Heisterman,	Monroe,	Spencer,
Cline,	Henry,	Phelps,	Stephenson,
Curtiss,	Hertzler,	Pulver,	Woodruff,
Davis,	Hubbell,	Sherwood,	27

NAYS.

0

Title agreed to.

On motion of Mr. Manwaring,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 234 (File No. 101), entitled

A bill to amend section 2 of an act entitled "An act to authorize the formation of county and town agricultural societies," approved February 12, 1855, and amended by act 228 of the laws of 1881, being section 2169 of the compiled laws of 1871, the same being section 2307 of Howell's Annotated Statutes,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Francis,	Mr. Kempf,	Mr. Shoemaker,
Belknap,	Hawley,	Manwaring,	Smith, G. A.,
Brown,	Heisterman,	Monroe,	Smith, S. W.,

Mr. Carpenter, Curtiss, Davis, Edwards,	Mr. Henry, Hertzler, Hubbell, Hueston,	Mr. Phelps, Pulver, Sherwood,	Mr. Spencer, Stephenson, Woodruff,	26
NAYS.				0

Title agreed to.

Senate bill No. 320 (File No. 98), entitled

A bill to amend section 10 of act No. 164 of the public acts of 1877, approved May 21, 1877, being an act entitled "An act to authorize cities, incorporated villages, and townships to establish and maintain free public libraries and reading-rooms," being section 5184 of Howell's Annotated Statutes,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin, Belknap, Brown, Carpenter, Cline, Curtiss, Davis,	Mr. Edwards, Francis, Hawley, Heisterman, Henry, Hertzler, Hubbell,	Mr. Hueston, Kempf, Manwaring, Monroe, Phelps, Pulver, Sherwood,	Mr. Shoemaker, Smith, G. A., Smith, S. W., Spencer, Stephenson, Woodruff,	27
NAYS.				0

Title agreed to.

Senate bill No. 247 (File No. 94), entitled

A bill to amend section 17 of act No. 164 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to public instruction and primary schools, and to repeal all statutes and acts contravening the provisions of this act," being section 5049 of Howell's Annotated Statutes, relative to qualified voters at district elections,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin, Belknap, Brown, Carpenter, Cline, Curtis,	Mr. Davis, Francis, Hawley, Heisterman, Hertzler, Hubbell,	Mr. Hueston, Kempf, Manwaring, Monroe, Phelps, Sherwood,	Mr. Shoemaker, Smith, G. A., Smith, S. W., Spencer, Stephenson, Woodruff,	24
NAYS.				

Mr. Edwards,	Henry,	2
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Title agreed to.

On motion of Mr. Hubbell,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

House bill No. 292 (File No. 124), entitled

A bill to regulate the sale of adulterated honey,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:



## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hertzler,	Mr. Phelps,
Belknap,	Edwards,	Hubbell,	Smith, G. A.,
Brown,	Francis,	Kempf,	Spencer,
Carpenter,	Hawley,	Manwaring,	Stephenson
Cline,	Heisterman,	Monroe,	Woodruff,
Curtiss,	Henry,		

22

## NAYS.

Mr. Pulver,	Mr. Sherwood,	Mr. Shoemaker,	Mr. Smith, S. W.,
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4

Title agreed to.

Senate bill No. 2, entitled

A bill to repeal act 122 of the session laws of 1869, entitled "An act to amend sections 1 and 3 of act No. 76 of the session laws of 1867, being an act entitled 'An act to provide for the appointment of a commissioner to be known as the Swamp Land State Road Commissioner,' approved March 21, 1867," also act 182 of the session laws of 1875, entitled "An act to amend sections 1 and 17 of an act to create a board of State swamp land commissioners, and to repeal act 76 of the session laws of 1867, being sections 4003 to 4019, both inclusive, of the compiled laws of 1871," and the several acts amendatory thereof, and to transfer the duties of said office to the commissioner of the State land office,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Kempf,	Mr. Shoemaker,
Belknap,	Francis,	Manwaring,	Smith, G. A.,
Brown,	Hawley,	Monroe,	Smith, S. W.,
Carpenter,	Heisterman,	Moon,	Spencer,
Gline,	Henry,	Phelps,	Stephenson,
Curtiss,	Hertzler,	Pulver,	Woodruff,
Davis,	Hubbell,	Sherwood,	

27

## NAYS.

0

Title agreed to.

On motion of Mr. Austin,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take effect July 1, 1885.

## UNFINISHED BUSINESS.

Being the consideration of the following resolution:

WHEREAS, It is claimed in various quarters that grave irregularities and extravagance existed in the Quartermaster General's office during the administration of Governor Josiah W. Begole;

AND WHEREAS, It is desirable for the public good and intelligent legislation relative to the military affairs of this State, that a thorough investigation be made into the affairs and conduct of said office during said administration; therefore

*Resolved*, That a select committee of three be appointed to make such investigation and report the result thereof to the Senate, and that in the performance of said duty said committee be empowered to send for persons and papers and examine witnesses.

The question being on the adoption of the resolution,

Mr. Edwards offered the following substitute.

WHEREAS, It is claimed in various quarters that grave irregularities and extravagance existed in the Quartermaster General's office during the administration of Governor Josiah W. Begole;

AND WHEREAS, It is desirable for the public good and intelligent legislation relative to the military affairs of this State that a thorough investigation be made into the affairs and conduct of said office during said administration; therefore,

*Resolved*, That the committee on military affairs of the Senate be and are hereby instructed to make such investigation and report the result thereof to the Senate, and that in the performance of said duty said committee be empowered to send for persons and papers and administer oaths to and examine witnesses.

Which was adopted.

The question being on the adoption of the resolution as amended,

The same was adopted.

On motion of Mr. Hubbell,

The Senate adjourned.

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*Lansing, Thursday, March 19, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.

Prayer by the Rev. Mr. Jameson.

Roll called: a quorum present.

#### PETITIONS.

No. 302. By the President: Memorial of G. C. Geiken, in regard to size of meshes in fish nets;

Referred to committee on fisheries.

No. 303. By Mr. Hawley: Petition of Heineman, Butzel & Co. and 122 others against annexing unnecessary territory to Detroit;

On motion of Mr. Hawley,

The petition, with the names, was ordered printed in the Journal and referred to the committee on cities and villages.

The following is the petition:

*To the Honorable the Senate and House of Representatives of Michigan:*

We, the undersigned property owners and tax-payers of the city of Detroit, respectfully protest against the various bills now pending before your honorable body, involving the annexation of *unnecessary* territory to Detroit.

We submit that no territory should be annexed that either is not now, or likely to be occupied, during the next five years, as involving additional taxation to the city, and to the annexed territories, without any corresponding benefit.

We especially protest against the addition of farming lands to Detroit, as detrimental to the best interests of the tax-payers in the city, and ruinous to the owners of the land.

We further submit that one-third of the present territory of this city is not occupied, and that there is abundant room within the present limits of Detroit for a very considerable increase of population. The unnecessary annexation of surrounding territory to many other cities has resulted in enormous municipal debt and exhaustive taxes, and we desire to avoid rather than to imitate the example of these cities.

Heineman, Butzel & Co.,	Armstrong & Graham,	American Eagle Tobac-
A. R. & W. F. Linn,	Grant Bros. & Company,	co Co., Chas. B. Hull,
Johnson & Wheeler,	Broas, Brown & Co.,	Treas.,
John Naylor & Co.,	O. O. Mallory & Co.,	Parke, Davis & Co., H.
Evans & Walker,	W. J. Gould & Co.,	C. Parke, Pres.,
T. H. Hinchman & Sons,	Fecheimer & Bros.,	Allan Sheldon,
A. P. Bacon,	Rœhm & Davison,	J. K. Burnham & Co.,
W. H. Engne & Sons,	Phelps, Brace & Co.,	Edson, Moore & Co.,
John M. Dwyer,	Thorp, Hawley & Co.,	Hargreaves Man'g Co.,
Standart Bros.,	Henry A. Newland & Co.,	P. Parsons,
B. F. Farrington & Co.,	Root, Strong & Co.,	T. J. Charlesworth,
Edward A. Gott,	Fred'k Stickel,	Oash. M. Havens,
Alexis C. Angell,	Fred. W. Stickel,	John F. Munro,
Will W. Tracy,	A. S. Wildey,	L. C. Olak,
C. A. Shaw,	A. W. Baxter,	Alfred Wood,
D. S. Beals,	E. D. Hutton,	Wood Knitting Mach
Guy F. Hinchman,	W. C. Bennett,	Co.,
John Reilly,	W. C. Ford,	Geo. F. Case,
L. W. Tinker,	M. Steiner,	P. H. Van Buren,
C. H. Hutchins,	B. E. Sickles,	S. S. Trowbridge,
A. Ives & Sons,	T. H. Armstrong,	John Collins,
D. R. Shaw,	J. G. Dickinson,	Horace Ross,
George McMillan,	H. P. Newberry,	Peter Ahlberg,
David Wallace,	Rob't Hunter,	Peter Olls,
Fred Morgan,	Lyman H. Baldwin,	T. A. Auberlin,
D. Whitney, Jr.,	L. C. Hanmer,	John F. Baisch,
James Burtenshaw,	D. V. Bell,	Geo. W. Redford,
E. L. Thompson,	Alex. Luvis,	Detroit Safe Works,
E. Nuppenau,	B. Briscoe,	F. H. Canfield,
William Scott & Co.,	John L. Harper & Co.	S. K. Taft,
Charles H. Salter,	Geo. Peck & Co.,	C. D. Strubel,
John Scott,	Day, Campbell & Co.	E. A. Armstrong,
John W. Weirl,	L. E. Clark,	J. E. Dickinson,
Harvey S. Millard,	A. A. Parker,	Geo. H. Lothrop,
John Trix,	M. L. Williams,	S. Caroline Toms,
Hornace Murdock,	Cleveland Hunt,	Dr. H. Kiefer, per A. K.
Wetmore Hunt,	R. S. Mason,	Kiefer,
W. F. Jarvis,	David Hamilton,	N. A. Bierce,
I think Springwells and	James E. Pittman,	Geo. V. N. Lothrop,
Hamtramck, as far as	A. G. Lindsay,	W. K. Anderson,
settled, should be an-	J. Owen,	Willard Parker,
nexed.	R. W. King,	John Robertson,

Otto Kirchner,  
Ashley Pond,  
Emory Wendell,

F. H. Probasco,  
Eben Ward.

Alfred Russell,  
Wm. P. Wells.

No. 304. By Mr. Henry: Record and resolutions passed at a meeting held March 4, 1885, relative to the incorporation of Au Sable and Oscoda under one city government;

No. 305. By the same: Remonstrance of Frederic J. Racher, and six other citizens of Au Sable, against the incorporation of Au Sable and Oscoda under one city government;

No. 306. By the same: Petition of James H. Sanborne, and 40 other citizens of Au Sable and Oscoda, for the incorporation of Au Sable city.

No. 307. By the same: Petition of John L. Miller, and 28 others, for the same object;

No. 308. By the same: Petition of H. M. Loud and 246 others for the same object;

No. 309. By the same: Petition of J. S. Duncan and 119 others for the same object.

No. 310. By the same: Petition of O. Peterson and 41 others for the same object;

No. 311. By the same: Petition of George Orth and 144 others for the same object;

No. 312. By Mr. Cline: Remonstrance of D. O. Berry and 206 other citizens of the village of Ft. Gratiot against the annexation of said village to the city of Port Huron, in St. Clair county;

The nine last named petitions and remonstrances were referred to the committee on cities and villages.

#### REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 308, entitled

A bill to provide for the publication of useful information derived from experiments made in the different departments at the Agricultural College,

Respectfully report that they have had the same under consideration and a majority thereof have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Phelps,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 313, entitled

A bill to change the name of Maurice Benham to Henry Maurice Buswell,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment,

and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 114, entitled

A bill requiring all State institutions to submit their estimates of current expenses to the State Board of Corrections and Charities.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs to whom was referred

Senate joint resolution No. 24, entitled

A joint resolution directing the Board of State Auditors to settle a claim of Muskegon county against the State of Michigan for shortage in the amount credited by the Auditor General to said county under section 10, act 197, of the public acts of the session laws of 1883,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman*.

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 19 (File No. 131), entitled

A bill to repeal an act entitled "An act to promote immigration to Michigan," approved April 3, 1866, and the act amendatory thereof, entitled "An act to amend sections one and two of an act entitled 'An act to promote immigration in Michigan,'" being compiler's sections 203 and 207 of the compiled laws of 1881, approved June 10, 1881, and to abolish the office of commissioner of immigration as by said act and amendatory provided for, and to transfer the books and archives of said office to the office of the Secretary of State of the State of Michigan,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Austin,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Pulver,
Belknap,	Francis,	Manwaring,	Sherwood,
Carpenter,	Hawley,	Monroe,	Shoemaker,
Oline,	Heisterman,	Moon,	Spencer,
Curtiss,	Henry,	Pennell,	Stephenson,
Davenport,	Hubbell,	Phelps,	Woodruff,
Davis,			

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#### NAYS.

Title agreed to.

On motion of Mr. Austin,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take effect June 1, 1885.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 219 (File No. 157), entitled

A bill to change the name of Mabel E. Wilber to Mabel E. Cook,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

Senate bill No. 132 (File No. 68), entitled

A bill to provide for the deposit of public moneys by county treasurers with banking corporations on interest,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

C. J. MONROE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Monroe,

The bill was referred to the committee of the whole, and placed on the general order.

#### REPORTS OF SELECT COMMITTEES.

By the special committee on election laws:

The special committee on election laws, to whom was referred

Senate bill No. 264, entitled

A bill to provide for the registration of electors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate with a substitute

therefor, having the same title, recommending that the substitute be concurred in, and that the same be printed and recommended to the committee.

J. W. BELKNAP, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Belknap,

The bill was ordered printed, and re-referred to the committee of the whole, and placed on the general order.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 18, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 18 (File No. 83), entitled

A bill to secure the minority of stockholders in corporations organized under general laws, the power of electing a representative membership in boards of directors,

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 19, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to return to the Senate the following concurring resolution:

*Resolved* (the House concurring), That a joint committee, consisting of two from the Senate and two from the House, be appointed to provide for the distribution of the Legislative Manuals,

And to inform the Senate that the House has adopted the following substitute therefore:

*Resolved by the Senate* (the House concurring), That a committee, consisting of five Representatives and three Senators, be appointed to fix upon a basis of distribution of the Legislative Manuals;

In the adoption of which, as amended by the substitute, the House has concurred.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

On motion of Mr. Belknap,

The concurrent resolution was laid on the table.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 19, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bills:

## 1. Senate bill No. 137 (File No. 95), entitled

A bill to incorporate the village of Ontonagon, in the township of Ontonagon, county of Ontonagon, and State of Michigan;

## 2. Senate bill No. 212 (File No. 84), entitled

A bill to incorporate the village of Iron River in the county of Marquette,

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The two bills were referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 19, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 105 (File No. 74), entitled

A bill making an appropriation for the support of the State Agricultural College, for the erection and repairs of buildings, and other improvements at the said college,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committees on agricultural college and appropriations and finance, jointly.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 19, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bills:

## 1. Senate bill No. 96 (File No. 44), entitled

A bill to amend section 2 of act No. 43 of the general laws of 1867, entitled "An act to provide for the formation of corporations for establishing health institutions," approved March 13, 1867, being section 3026 of the compiled laws of 1871, being section 4801 of Howell's Annotated Statutes;

## 2. Senate bill No. 95 (File No. 45), entitled

A bill to amend section 3, of act No. 97, of the general laws of 1861, entitled "An act to provide for the incorporation of associations for the publication of periodicals, newspapers, books, tracts, documents, and other publications," approved March 7, 1861, as amended by act No. 317 of the general laws of 1865, being section 3180 of the compiled laws of 1871, being section 4198 of Howell's Annotated Statutes,

In the passage of which, the House has concurred by a majority vote of all



the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The two bills were referred to the committee on engrossment and enrollment or enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 19, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 349 (File No. 166), entitled

A bill to amend section 6 of chapter 46 of the compiled laws of 1871, being compiler's section 1638 of Howell's Annotated Statutes, relative to burial grounds,

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on banks and incorporations.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 19, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 39 (File No. 12), entitled

A bill making an appropriation for the Pioneer Society of the State of Michigan for the years 1885 and 1886,

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

#### MOTIONS AND RESOLUTIONS.

Mr. Edwards moved that the committee of the whole be discharged from the further consideration of

House bill No. 196 (File No. 89), entitled

A bill to authorize and empower the township of Glencoe, in the county of Lake, to sue for and collect all moneys belonging to school district No. 1 in said township, to authorize and direct the supervisor of said township to institute criminal proceedings against any person or persons who have embezzled or may embezzle funds or property belonging to said district, and to authorize the township treasurer of said township, under the direction of the township board thereof, to receive, hold, or loan in trust all funds belonging to said dis-

trict for the benefit thereof, and to act as trustee and custodian of the property and effects belonging thereto;

Which motion prevailed.

On motion of Mr. Edwards,

The bill was placed on the order of third reading of bills.

Mr. Curtiss moved that the committee of the whole be discharged from the further consideration of

House bill No. 184 (File No. 123), entitled

A bill to amend section 4 of title 1; section 3 of title 2; sections 14 and 18 of title 3; sections 12, 23, and 33 of title 4; section 22 of title 5; sections 1, 2, and 4 of title 6; and section 10 of title 10, of an act entitled "An act to revise the charter of the city of Grand Rapids, being amendatory of an act entitled 'An act to incorporate the city of Grand Rapids, approved April 2, 1850,' as amended by the several acts amendatory thereof," approved March 29, 1877, as amended by act No. 379 of the session laws of 1879, approved May 23, 1879, as amended by act No. 365 of the session laws of 1881, approved April 29, 1881;

Which motion prevailed.

On motion of Mr. Curtiss,

The bill was placed on the order of third reading of bills.

Mr. Manwaring offered the following resolution:

*Resolved*, That the Secretary of the Senate be, and is hereby instructed to cause all bills amending or incorporating cities or villages, to be placed in separate files for the better convenience of and use of the Senate;

Which was adopted.

#### THIRD READING OF BILLS.

House bill No. 196 (File No. 89), entitled

A bill to authorize and empower the township of Glencoe, in the county of Lake, to sue for and collect all moneys belonging to the School District No. 1, in said township; to authorize and direct the supervisor of said township to institute criminal proceedings against any person or persons who have embezzled, or may embezzle funds or property belonging to said district, and to authorize the township treasurer of said township, under the direction of the township board thereof, to receive, hold, or loan in trust all funds belonging to said district for the benefit thereof, and to act as trustee and custodian of the property and effects belonging thereto,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Phelps,
Belknap,	Francis,	Kempf,	Sherwood,
Carpenter,	Hawley,	Manwaring,	Shoemaker,
Cline,	Heisterman,	Monroe,	Smith, S. W.,
Curtiss,	Henry,	Moon,	Spencer,
Davenport,	Hubbell,	Pennell,	Woodruff,
Davis,			

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#### NAYS.

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Title agreed to.

On motion of Mr. Edwards,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

House bill No. 184 (File No. 123), entitled

A bill to amend section 4 of title one; section 3 of title 2; sections 14 and 18 of title 3; sections 12, 23, and 33 of title 4; section 22 of title 5; sections 1, 2, and 4 of title 6; and section 10 of title 10, of an act entitled "An act to revise the charter of the city of Grand Rapids, being amendatory of an act entitled 'An act to incorporate the city of Grand Rapids, approved April 2, 1850,' as amended by the several acts amendatory thereof," approved March 29, 1877, as amended by act No. 379 of the session laws of 1879, approved May 23, 1879, as amended by act No. 365 of the session laws of 1881, approved April 29, 1881,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Kempf,	Mr. Sherwood,	
Belknap,	Francis,	Manwaring,	Shoemaker,	
Carpenter,	Hawley,	Monroe,	Smith, S. W.,	
Cline,	Heisterman,	Moon,	Spencer,	
Curtiss,	Hertzler,	Pennell,	Stephenson,	
Davenport,	Hubbell,	Phelps,	Woodruff,	
Davis,	Hueston,			26

#### NAYS.

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The question being on agreeing to the title,

Mr. Curtiss moved to amend the title so as to read as follows:

A bill to amend section 3 of title 2, sections 14 and 18 of title 3, sections 12, 23, and 33 of title 4, section 22 of title 5, sections 2 and 4 of title 6, and section 10 of title 10 of an act entitled "An act to revise the charter of the city of Grand Rapids, being amendatory of an act entitled 'An act to incorporate the city of Grand Rapids, approved April 2, 1850,' as amended by the several acts amendatory thereof," approved March 23, 1877, as amended by act No. 379 of the session laws of 1879, approved May 23, 1879, as amended by act No. 365 of the session laws of 1881, approved April 29, 1881.

Title agreed to.

On motion of Mr. Curtiss,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

#### QUESTION OF PRIVILEGE.

Mr. Pennell rose to a question of privilege, stating that during the call of the Senate of yesterday he was in the document room, where he had retired to rest himself on account of illness. He had since learned that the document room has been considered as within the bar of the Senate, and that he was therefore unjustly reported absent without leave. Not having fully understood the matter yesterday, he had submitted to an arrest as an absentee, but now asked to have this explanation entered on the Journal as a matter of justice to himself.

On motion of Mr. Hubbell,

The explanation was ordered spread upon the Journal.

## SPECIAL ORDER.

On motion of Mr. Francis,

The Senate went into committee of the whole on the special order,

Mr. Woodruff in the chair.

After some time spent therein, the committee rose, and, through their chairman, made the following report:

The committee of the whole have had under consideration the following:

House bill No. 136 (File No. 44), entitled

A bill to amend chapter 2, and sections 1, 2, and 4, of chapter 3 of an act entitled "An act to provide a charter for the city of Detroit and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883,

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate and recommend its passage.

HENRY WOODRUFF, *Chairman.*

Report accepted.

Mr. Shoemaker moved that the bill be laid on the table and ordered printed;

Which motion prevailed.

On motion of Mr. Hubbell,

The Senate adjourned.

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*Lansing, Friday, March 20, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.  
Prayer by the Rev. Mr. Valentine.

Roll called: a quorum present.

Absent without leave: Senators Moon, Pennell, Sherwood, and Woodruff.

Mr. Kempf asked and obtained leave of absence for Mr. Moon for the day.

Mr. Belknap asked and obtained leave of absence for Mr. Woodruff for the day.

Mr. Shoemaker asked and obtained leave of absence for Mr. Sherwood for the day.

Mr. Oline asked and obtained leave of absence for Mr. Pennell until Tuesday, March 24.

## PETITIONS.

No. 313. By Mr. S. W. Smith: Petition of James Corey and 110 other citizens of Commerce, Oakland county, for the passage of a law to prevent the manufacture and sale of oleomargarine and butterine;

No. 314. By the same: Petition of G. W. King and 107 others of Clarkson, Oakland county, for the same object;

The two named petitions were referred to the committee on State affairs.

No. 315. By the same: Petition of Romaine Clark, Joseph P. Coon and 160 others for the passage of a law or for the amendment of the present law so that the tax now collected upon intoxicating liquors may be paid into the county treasury for the benefit of the township and county poor;

Referred to the committee on liquor traffic.

## REPORTS OF STANDING COMMITTEES.

By the committee on cities and villages :

The committee on cities and villages, to whom was referred

Senate bill No. 152 (File No. 54), entitled

A bill to re-incorporate the village of Roscommon, Roscommon county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Henry,

The bill was referred to the committee of the whole, and placed on the general order.

By the committees on State reform school and appropriations and finance :

The committees on State reform school and appropriations and finance, to whom was referred jointly

Senate bill No. 78, entitled

A bill making appropriation for the current expenses of the State Normal School for the years 1885 and 1886,

Respectfully report that they have had the same under consideration and have directed us to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. W. SMITH,

*Chairman Committee on State Normal School.*

GEO. A. SMITH,

*Chairman Committee on Appropriations and Finance.*

Report accepted and committees discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committees on the institution for the deaf and dumb and appropriations and finance :

The committees of the institution for the deaf and dumb and appropriations and finance, to whom was referred jointly

Senate bill No. 209, entitled

A bill making appropriations for the institution for educating the deaf and dumb for the years 1885 and 1886,

Respectfully report that they have had the same under consideration, and have directed us to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. W. BELKNAP,

*Chairman Committee on Institution for Deaf and Dumb.*

GEO. A. SMITH,

*Chairman Committee on Appropriations and Finance.*

Report accepted and committees discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committees on northern asylum for the insane, and appropriations and finance :

The committees on northern asylum for the insane, and appropriations and finance, to whom was referred jointly

Senate bill No. 359, entitled

A bill making an appropriation of \$20,000 as a working capital for the Northern Michigan Asylum for the insane,

Respectfully report that they have had the same under consideration and have directed us to report the same back to the Senate with an amendment thereto, recommending that the amendment be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

R. KEMPF,

*Chairman Committee Northern Asylum for the Insane.*

GEO. A. SMITH,

*Chairman Committee on Appropriations and Finance.*

Report accepted and committees discharged.

On motion of Mr. G. A. Smith,

The Senate concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate bill No. 39 (File No. 12), entitled

A bill making an appropriation for the Pioneer Society of the State of Michigan for the years 1885 and 1886;

Also,

Senate bill No. 95 (File No. 45), entitled

A bill to amend section 3, of act No. 97, of the general laws of 1861, entitled "An act to provide for the incorporation of associations for the publication of periodicals, newspapers, books, tracts, documents, and other publications," approved March 7, 1861, as amended by act No. 317 of the general laws of 1865, being section 3180 of the compiled laws of 1871, being section 4198 of Howell's Annotated Statutes;

Also,

Senate bill No. 96 (File No. 44), entitled

A bill to amend section 2 of act No. 43 of the general laws of 1867, entitled "An act to provide for the formation of corporations for establishing health institutions," approved March 13, 1867, being section 3026 of the compiled laws of 1871, being section 4801 of Howell's Annotated Statutes;

Also,

Senate bill No. 137 (File No. 59), entitled

A bill to incorporate the village of Ontonagon, in the township of Ontonagon, county of Ontonagon, and State of Michigan;

Also,

Senate bill No. 212 (File No. 84), entitled

A bill to incorporate the village of Iron River, in the county of Marquette.

J. W. BELKNAP, *Chairman.*

Report accepted.

## MESSAGE FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICE, }  
Lansing, March 19, 1885. }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State,

[Senate bill No. 69, File No. 29, being]

An Act to amend section 4 of act No. 347 of the session laws of 1873, entitled "an act to incorporate the board of education of the city of Hastings," approved April 2, 1873;

Also,

[Senate bill No. 94, File No. 37, being]

An act to amend sections 2 and 3 of act 192 of the general laws of 1867, entitled "An act to provide for the incorporation of associations, conventions, conferences or religious bodies, for literary, religious or other benevolent purposes," approved March 27, 1867, being sections 3132 and 3133 of the compiled laws of 1871, and section 5 of act 4 of the public laws of 1875, amendatory thereto, being sections 4723, 4724, and 4726 of Howell's Annotated Statutes.

R. A. ALGER, *Governor.*

The message was laid on the table.

## MOTIONS AND RESOLUTIONS.

Mr. Manwaring offered the following concurrent resolution:

*Resolved* (The House concurring), That the Governor is hereby requested to call the attention of the people of this State to the importance of planting trees for ornament and shade, by naming a day upon which this work shall be given especial attention, to be known as "Arbor Day."

Mr. Henry moved that the concurrent resolution be laid on the table.

Which motion did not prevail.

The concurrent resolution was then adopted.

Mr. Hawley moved to take from the table,

Senate bill No. 130, entitled

A bill to confirm the sale of certain swamp lands to Martha M. Ingalls, and patent No. 25810 issued to her upon such sale,

Which motion prevailed.

Mr. Hawley moved that the bill be referred to the committee of the whole and placed on the general order.

Mr. Hubbell called for a division of the question.

The question being, shall the bill be printed?

The same was ordered printed.

The question being, shall the bill be referred to the committee of the whole, and placed on the general order?

Pending the same,

Mr. Hubbell moved that the bill be laid on the table,

Which motion did not prevail.

The bill was then referred to the committee of the whole, and placed on the general order.

## GENERAL ORDER.

On motion of Mr. Manwaring,

The Senate went into the committee of the whole, on the general order, Mr. Hubbell in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following:

1. House bill No. 236, entitled

A bill to amend section 5, chapter 3, of act 311, session laws of 1881, in reference to the election of officers for the city of Stanton;

2. House bill No. 94 (File No. 40), entitled

A bill to amend section 2 of chapter 109 of the revised statutes of 1846, being section 6267 of the compiled laws of 1871, relative to partition of lands owned by several persons;

3. House bill No. 252 (File No. 90), entitled

A bill to amend sections 185 and 186 of chapter 93 of the revised statutes of 1846, entitled "Of courts held by justices of the peace," being sections 7000 and 7001 of Howell's Annotated Statutes;

4. House bill No. 2 (File No. 4), entitled

A bill to regulate the employment of children, young persons and women in certain cases;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

The committee of the whole have also had under consideration the following:

5. Senate bill No. 21 (File No. 94), entitled

A bill to incorporate the public schools of the township of Green, in the county of Alpena;

6. House bill No. 153 (File No. 46), entitled

A bill to amend section 3 of chapter 1, section 6 of chapter 6, section 10 of chapter 7, section 11 of chapter 8, section 4 of chapter 12, and section 27 of chapter 24 of an act entitled "An act to incorporate the city of Manistee," approved March 15, 1882;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following:

7. Senate joint resolution No. 21 (File No. 10), entitled

Joint resolution proposing an amendment to section 28 of the schedule of the constitution of this State, relative to the Governor's appointments;

8. Senate joint resolution No. 16 (File No. 11), entitled

A joint resolution proposing amendments to sections 3, 6, 7, 8, 9, 10, and 11 of article 10 of the constitution of this State, so as to provide for a board of county commissioners in each of the counties of this State, instead of a board of supervisors or county auditors;

Have directed their chairman to report the same back to the Senate, with the recommendation that the two named joint resolutions be laid on the table.

J. A. HUBBELL, *Chairman.*

Report accepted and committee discharged.



The first four named bills were placed on the order of third reading of bills.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made by the committee to the fifth and sixth bills, and the same were placed on the order of third reading of bills.

On motion of Mr. Hubbell,

The Senate concurred in the recommendation of the committee of the whole regarding the two joint resolutions and the same were laid on the table.

Mr. Oline asked and obtained leave of absence for himself until Tuesday, March 24.

Mr. Brown asked and obtained leave of absence for himself indefinitely on account of sickness.

On motion of Mr. Belknap,

The rules were suspended, and

House bill No. 236, entitled

A bill to amend section 5 of chapter 3 of act No. 311 of the session laws 1881, in reference to the election of officers for the city of Stanton,

Was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Davis,	Mr. Hertzler,	Mr. Phelps,
Belknap,	Edwards,	Hubbell,	Pulver,
Carpenter,	Francis,	Hueston,	Smith, S. W.,
Oline,	Hawley,	Kempf,	Spencer,
Curtiss,	Heisterman,	Manwaring,	Stephenson,
Davenport,	Henry,	Monroe,	23

#### NAYS.

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Title agreed to.

On motion of Mr. Belknap,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Manwaring offered the following resolution:

*Resolved*, That when the Senate adjourn to-day it be until Monday next at 8 o'clock P. M.;

Which was adopted.

On motion of Mr. Kempf,

The Senate adjourned.

*Lansing, Monday, March 23, 1885.*

The Senate met and was called to order by Senator S. W. Smith, who had been designated by the President to preside as temporary President, at 8 o'clock P. M.

Prayer by the Rev. Mr. Franklin.

Roll called: a quorum not present.

Absent without leave: Senators Curtiss, Davenport, Davis, Hawley, Henry, Hertzler, Hubbell, Hueston, Manwaring, Pulver, Spencer.

On motion of Mr. Carveth,

The Senate adjourned.

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*Lansing, Tuesday, March 24, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.

Prayer by the Rev. Mr. Taylor.

Roll called; a quorum present.

Absent without leave, Senators Davis and Shoemaker.

Mr. Pulver asked and obtained leave of absence for the absentees for the day.

#### PETITIONS.

No. 316. By Mr. Sherwood: Petition of E. K. Warren and 45 others of Berrien county for the passage of a bill to secure the rights of minorities in corporations, and give them power to have a representation in the same.

No. 317. By the same: Petition of 100 citizens of the city of Niles, same object.

The two petitions were referred to the committee on banks and incorporations.

No. 318. By Mr. Manwaring: Petition of William A. Montgomery and 74 other citizens of Lapeer county to so change the law by regulating the liquor traffic; that the money so collected as a tax on the business be paid into the county treasury for the support of the county and township poor, and all surplus to be used for the support of the public schools.

Referred to the committee on liquor traffic.

No. 319. By Mr. Henry: Remonstrance of Charles Hamlin and 47 others, against the incorporation of Au Sable city;

No. 320. By the same: Remonstrance of Robert Lee and 62 others, same object;

No. 321. By the same: Remonstrance of F. A. Cherryman and 15 others, same object;

No. 322. By the same: Remonstrance of George Woods and 12 others, same object;

No. 323. By the same: Remonstrance of C. V. Hicks and 97 others, same object;

No. 324. By the same: Remonstrance of Harry Miller, and 45 others, same object;

No. 325. By the same: Remonstrance of Harry A. Fish and 74 others, same object;

No. 326. By the same: Remonstrance of Archibald Ducas and 33 others, same object;

No. 327. By the same: Remonstrance of Crippen and Schofield and 19 others, same object;

No. 328. By the same: Remonstrance of George McKie and 4 others, same object;

No. 329. By the same: Remonstrance of Abe Cartright and 74 others, same object;

No. 330. By the same: Remonstrance of James McCoy and 37 others, against the passage of House bill No. 226, relative to protection of fish;

The eleven first named remonstrances were referred to the committee on cities and villages.

The last named remonstrance was referred to the committee on fisheries.

No. 331. By the same: Petition of E. L. Dunbar and 75 others for the passage of a boiler inspection law;

Referred to the committee on cities and villages.

No. 332. By Mr. Belknap: Petition of Mrs. Martha Leonard and 12 others of Union City in favor of municipal suffrage for women; petition of Mrs. Dr. Mechem and 8 others of Battle Creek for the same; petition of Mrs. Mary B. Dickie and 8 others of Albion for the same; petition of Mrs. A. T. Barnes and 32 others of Niles for the same; petition of Mrs. Dr. Holmes and 13 others of Chelsea for the same; petition of Mrs. L. T. Hull and 10 others of Constantine for the same; petition of Mrs. L. M. Lester and 5 others of Sturgis for the same; petition of Mrs. Laura D. Parsons and 5 others of Ypsilanti for the same; petition of Mrs. L. H. Showman and 5 others of Portland for the same; petition of Lydia B. Jones and 22 others of Cass county for the same; petition of Mrs. M. B. Baxter and 4 others of Charlotte for the same; petition of Mrs. H. S. Carlisle and 18 others of Buchanan for the same; petition of Mrs. L. D. Tukey and 33 others of Otsego for the same; petition of Mrs. Sarah Bishop and 9 others of Ann Arbor for same; petition of Evelyn N. Peters and 25 others of Manistee for same; petition of Mrs. M. E. Pengelly and 18 others of Kalamazoo for the same; petition of Mrs. T. E. Holden and 17 others of Reed City for same; petition of Mrs. M. S. Pan Olinda and 6 others of Holland for same;

Referred to the committee on the judiciary.

No. 333. By Mr. Greiner: Petition of W. A. King, F. Buhl, H. Hitchcock, and 75 others, relative to annexation of Hamtramck to the city of Detroit;

Referred to committee on cities and villages.

No. 334. By Mr. Pulver: Remonstrance of John Hathaway and 141 others, of the township of Middlebury, Shiawassee county, against the annexation of any part of its territory to Clinton county;

Referred to the committee on counties and townships.

No. 335. By Mr. Hueston: Petition of Jerome Pierce and 92 others, of Plymouth, Wayne county, for a soldiers' home in Michigan;

Referred to committee on military affairs.

No. 336. By Mr. Pennell: Remonstrance of F. Schneider and 65 others, against the passage of a bill to prohibit the teaching of languages, other than English, in our public schools;

Referred to the committee on education and public schools.

No. 337. By Mr. Hubbell: Petition of Peter White and 25 others, of Marquette, for a school of technology in the Upper Peninsula;

Referred to the committee on State affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committees on agricultural college and appropriations and finance:  
The committees on agricultural college and appropriations and finance, to whom was referred jointly

House bill No. 105 (File No. 74), entitled

A bill making an appropriation for the support of the State Agricultural College, for the erection and repair of buildings, and other improvements at the said college,

Respectfully report that they have had the same under consideration and have directed us to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

CHARLES J. MONROE,

*Chairman Committee on Agricultural College.*

GEORGE A. SMITH,

*Chairman Committee on Appropriations and Finance.*

Report accepted and committee discharged.

On motion of Mr. Monroe,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 177, entitled

A bill to provide for the admission of parol evidence in certain cases,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The further consideration of the bill was indefinitely postponed.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 185, entitled

A bill to provide for the appointment and duties of a stenographer for the sixteenth judicial circuit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with an amendment thereto, recommending that the amendment be concurred in, and that the

bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbard,

The Senate concurred in the amendment made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate joint resolution No. 15 (File No. 12), entitled

A joint resolution extending the time for the completion of the Marquette, Houghton & Ontonagon railroad,

Respectfully report that they have had the same under consideration, and, have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 178, entitled

A bill to amend act No. 192 of the public acts for the year 1879, being section 9315 of Howell's Annotated Statutes, relative to punishment for libel and slander, and to add one new section thereto to stand as section 2.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

Senate bill No. 379, entitled

A bill to authorize the board of water commissioners of East Saginaw to borrow money to lay water pipe,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate with the accompanying substitute therefor, entitled

A bill to authorize the board of water commissioners of East Saginaw to borrow money to lay water pipe,

Recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the adoption of the substitute reported for the bill by the committee.

On motion of Mr. Hubbell,  
The bill was laid on the table.

By the committee on military affairs:

The committee on military affairs, to whom was referred  
Senate joint resolution No. 5, entitled

Joint resolution declaring the necessity of establishing Soldiers' Homes for disabled soldiers and marines who have become disabled since discharged from service, to appoint a joint committee to investigate and report the feasibility of the Dearborn arsenal property for such home, and what action by Congress should be requested,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY WOODRUFF, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committees on State reform school and judiciary:

The committees on State reform school and judiciary, to whom were referred  
Senate bill No. 311, entitled

A bill to amend section 1 of an act relative to the State agency for the care of juvenile offenders, being chapter 346 of Howell's Annotated Statutes, and to add a new section thereto,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with an amendment thereto, recommending that the amendment be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

H. C. SPENCER,

*Chairman Committee on State Reform School.*

JAY A. HUBBELL,

*Chairman Judiciary Committee.*

Report accepted and committee discharged.

On motion of Mr. Spencer,

The Senate concurred in the amendment made to the bill by the committees.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools to whom was referred  
Senate bill No. 252, entitled

A bill to amend sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, and 13 of chapter 12 of act No. 164, session laws of 1881, and section 4 of same chapter and act, as amended by act No. 93, session laws of 1883, relating to the examination of teachers and supervision of schools; also, to amend section 3 of chapter 4, and section 2 of chapter 5 of act No. 164, session laws of 1881, relating to duties of township clerk and county clerk concerning school reports,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the

bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Carveth,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committees on State reform school and judiciary:

The committees on State reform school and judiciary to whom was referred, jointly,

Senate bill No. 310, entitled

A bill to amend sections 10 and 12 of chapter 268 compiled laws of 1871, being compiler's sections 8135 and 8137, as amended by act 84, public acts of 1877, relative to the Reform School, being sections 9817 and 9819 of Howell's Annotated Statutes of 1882,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without recommendation as to its passage, and ask to be discharged from the further consideration of the subject.

H. O. SPENCER,

*Chairman Committee on State Reform School.*

JAY A. HUBBELL,

*Chairman Judiciary Committee.*

Report accepted and committees discharged.

On motion of Mr. Spencer,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

#### MESSAGE FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICE, }  
Lansing, March 20, 1885. }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State:

Senate bill No. 95 (File No. 45), being

An act to amend section 3 of act No. 97 of the general laws of 1861, entitled "An act to provide for the incorporation of associations for the publication of periodicals, newspapers, books, tracts, documents, and other publications," approved March 7, 1861, as amended by act No. 317 of the general laws of 1865, being section 3180 of the compiled laws of 1871, being section 4198 of Howell's Annotated Statutes;

Also,

Senate bill No. 212 (File No. 82), being

An act to incorporate the village of Iron River in the county of Marquette,

Also,

Senate bill No. 96 (File No. 44), being

An act to amend section 2 of act No. 43 of the general laws of 1867, entitled, "An act to provide for the formation of corporations for establishing health institutions," approved March 13, 1867, being section 3026 of the compiled laws of 1871, being section 4801 of Howell's Annotated Statutes;

Also,

Senate bill No. 137 (File No. 59), being

An act to incorporate the village of Ontonagon, in the township of Ontonagon, county of Ontonagon, and State of Michigan;

Also,

Senate bill No. 39 (File No. 12), being

An act making an appropriation for the Pioneer Society of the State of Michigan for the years 1885 and 1886.

R. A. ALGER, *Governor*.

The message was laid on the table.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 24, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 122 (File No. 167), entitled

A bill to provide for the compulsory reformatory education of juvenile disorderly persons;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, March 24, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 353 (File No. 168), entitled

A bill to incorporate the city of Albion, in the county of Calhoun;

2. House bill No. 497 (File No. 203), entitled

A bill to amend sections 3, 4, 8, 10, 13, 16, 19, 45, 48, 52, 53, 54, 59, 61, 63, 65, 66, 86, 91, and 95, of an act entitled "An act to revise the charter of the city of Adrian," approved March 20, 1865, as amended by act approved March 16, 1869, and further amended by act approved March 18, 1871, and still further amended by act approved April 3, 1879;

3. House bill No. 665 (File No. 144), entitled

A bill to revise and amend the charter of the city of West Bay City, and to repeal all acts and parts of acts in conflict therewith;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on cities and villages.



The second named bill was read a first and second time by its title, and  
 On motion of Mr. Carpenter,  
 The rules were suspended, and the bill was placed on its immediate passage.  
 Pending the third reading of the bill,  
 On motion of Mr. Hubbell,  
 The bill was referred to the committee on cities and villages.  
 The third named bill was read a first and second time by its title, and  
 On motion of Mr. Manwaring,  
 The rules were suspended, and the bill was placed on its immediate passage.  
 Pending the third reading of the bill,  
 On motion of Mr. Belknap,  
 The bill was referred to the committee on cities and villages.  
 The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
 Lansing, March 20, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 221, entitled

A bill to change the name of Celia Jane Marshall to Celia Jane McCuaig,  
 and to make her the heir at law of Alexander McCuaig,

Which has passed the House by a majority vote of all the members elect,  
 and by a vote of two-thirds of all the members elect been ordered to take  
 immediate effect, and in which the concurrence of the Senate is respectfully  
 asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and

Mr. Manwaring moved that the rules be suspended, and the bill be placed  
 on its immediate passage;

Which motion did not prevail.

The bill was then referred to the committee on State affairs.

#### MOTIONS AND RESOLUTIONS.

Mr. Henry offered the following resolution:

*Resolved*, That the Committee on Military Affairs be and they are  
 hereby authorized to employ a stenographer for the purpose of expediting the  
 taking of testimony in the investigation of the irregularities and extravagances  
 claimed to have existed in the Quartermaster General's office during the  
 administration of Gov. Josiah W. Begole;

Which was adopted.

Mr. Henry moved to take from the table

Senate bill No. 16, file 32, entitled

A bill to better protect and preserve deer within this State,

And place the same on the order of third reading of bills;

Which motion prevailed.

Mr. Woodruff moved to take from the table

Senate bill No. 379, entitled

A bill to authorize the board of water commissioners of East Saginaw to  
 borrow money to lay water pipe;

Which motion prevailed.

On motion of Mr. Woodruff,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hubbell,	Mr. Phelps,
Belknap,	Francis,	Hueston,	Sherwood,
Carpenter,	Greiner,	Kempf,	Smith, G. A.,
Carveth,	Hawley,	Manwaring,	Smith, S. W.,
Cline,	Heisterman,	Monroe,	Spencer,
Curtiss,	Henry,	Moon,	Woodruff,
Davenport,	Hertzler,	Pennell,	

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## NAYS.

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Title agreed to.

On motion of Mr. Woodruff,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

## THIRD READING OF BILLS.

House bill No. 2 (File No. 4), entitled

A bill to regulate the employment of children, young persons, and women in certain cases.

Mr. Hubbell moved to strike out the enacting clause,

Pending which,

Mr. Cline moved that he be allowed to offer an amendment;

Which motion prevailed.

Mr. Cline moved to amend the bill as follows:

By adding the following proviso to the end of the bill:

*Provided further,* That the provisions of this act shall not apply to the employment of children whose parents or guardians are unable on account of poverty or truancy to send their children to school as provided for in this act.

Pending the vote on the amendment,

The President *pro tem.* was called to the chair.

The question being on the adoption of the amendment,

The same was not adopted.

By unanimous consent, Mr. Carveth moved to further amend the bill as follows:

By striking out in section 1, lines 1 and 2, the words "twelve" and "fourteen" and inserting in lieu thereof the word "ten."

Mr. Austin offered the following substitute for the amendment:

By striking out all of section 1 after the enacting clause, and insert the following:

"That no child under the age of ten years shall be employed in any factory, warehouse, or workshop where the manufacture of any goods whatever is carried on, or where any goods are prepared for manufacturing;"

Which was accepted, and the motion prevailed, and the bill was so amended.

The President resumed the chair.

By unanimous consent, Mr. Pulver moved to further amend the bill as follows:

By striking out of section eight, the following:

"The word 'person' wherever used in this act shall be deemed to mean corporations as well as individuals," and inserting in lieu thereof the following:

"The directors of any corporation which shall willfully neglect or refuse to obey the provisions of this act shall each be liable to the penalties of this act;"

Which motion prevailed, and the bill was so amended.

By unanimous consent, Mr. Carveth moved to further amend the bill as follows:

By striking out section 6 and inserting in lieu thereof the following to stand as section 6:

Sec. 6. Any person, company, or corporation who shall violate any of the provisions of this act shall for each offense forfeit a penalty of fifty dollars, to be recovered before any competent court;

Which motion prevailed and the bill was so amended.

By unanimous consent, Mr. Spencer moved to further amend the bill as follows:

By striking out in section 4, line 4, the word "half;"

Which motion prevailed and the bill was so amended.

The motion to strike out the enacting clause was withdrawn.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Francis,	Mr. Hueston,	Mr. Pulver,	
Belknap,	Greiner,	Kempf,	Sherwood,	
Carpenter,	Hawley,	Manwaring,	Smith, G. A.,	
Carveth,	Heisterman,	Monroe,	Smith, S. W.,	
Cline,	Henry,	Moon,	Spencer,	
Curtiss,	Hubbell,	Pennell,	Woodruff,	
Davenport,				25

#### NAYS.

Mr. Stephenson,	Mr. Phelps,		2
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Title agreed to.

House bill No. 252 (File No. 90), entitled

A bill to amend sections 185 and 186 of chapter 93 of the revised statutes of 1846, entitled "Of courts held by justices of the peace," being sections 7000 and 7001 of Howell's Annotated Statutes,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hertzler,	Mr. Pennell,	
Belknap,	Francis,	Hubbell,	Pulver,	
Carpenter,	Greiner,	Hueston,	Sherwood,	
Carveth,	Hawley,	Kempf,	Smith, G. A.,	
Cline,	Heisterman,	Manwaring,	Smith, S. W.,	
Curtiss,	Henry,	Moon,	Woodruff,	24

#### NAYS.

0

Title agreed to.

House bill No. 94 (File No. 40), entitled

A bill to amend section 2 of chapter 109 of the revised statutes of 1846, being section 6267 of the compiled laws of 1871, relative to the partition of lands owned by several persons,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Anstin,	Mr. Davenport,	Mr. Hubbell,	Mr. Sherwood,
Belknap,	Greiner,	Hueston,	Smith, G. A.,
Carpenter,	Hawley,	Moon,	Smith, S. W.,
Carveth,	Heisterman,	Pennell,	Stephenson,
Cline,	Hertzler,	Pulver,	Woodruff,
Curtiss,			

21

## NAYS.

Mr. Edwards,	Mr. Henry,	Mr. Kempf,	Mr. Manwaring,
Francis,			

5

Title agreed to.

Mr. Hawley moved that the Senate do now adjourn ;

Which motion did not prevail.

House bill No. 153 (File No. 46), entitled

A bill to amend section 3 of chapter 1, section 6 of chapter 6, section 10 of chapter 7, section 11 of chapter 8, section 4 of chapter 12, and section 27 of chapter 24, of an act entitled "An act to incorporate the city of Manistee," approved March 15, 1882,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Greiner,	Kempf,	Smith, G. A.,
Carpenter,	Heisterman,	Manwaring,	Smith, S. W.,
Carveth,	Henry,	Pennell,	Spencer,
Cline,	Hertzler,	Phelps,	Stephenson,
Davenport,	Hubbell,	Pulver,	Woodruff,
Edwards,			

25

## NAYS.

0

The question being on agreeing to the title,

Mr. Hubbell moved to amend the title so as to read as follows :

A bill to amend section 3 of chapter 1, section 10 of chapter 7, section 11 of chapter 8, section 4 of chapter 12, and section 27 of chapter 24, of an act entitled "An act to incorporate the city of Manistee," approved March 15, 1882 ;

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Francis,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 21 (File No. 94), entitled

A bill to incorporate the public schools of the township of Green, in the county of Alpena,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent, Mr. Kempf moved to amend the bill as follows :

By striking out of section 9 the following :

"The board of education shall at their regular meeting on the 3d Monday of August, in each year, make an estimate of the amount of money deemed necessary to be raised by taxes for the ensuing year (and to pay any outstanding indebtedness of the previous year), for all purposes of expenditure within the

powers of said board, which estimates shall specify the amounts required for the different objects of expenditure, and such estimates shall be entered in the records of the proceedings of said board, and the clerk of said board shall within twenty days thereafter make a written report of the amount of taxes so deemed necessary, and certify the same to the supervisor of the township of Green, who shall spread the same upon the regular tax roll of said township, and the same shall be levied, collected and returned in the same manner as other township tax."

And inserting in lieu thereof the following:

"At each annual township meeting held in said township of Green the qualified electors present shall determine the amount of money to be raised by tax for all school purposes for the ensuing year; which amount the township clerk shall within sixty days thereafter certify to the supervisor of Green, who shall spread the same upon the regular tax roll of said township, and the same shall be levied, collected and returned in the same manner as other township taxes;"

Which motion prevailed.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hertzler,	Mr. Pennell,
Belknap,	Greiner,	Hubbell,	Smith, S. W.,
Carpenter,	Hawley,	Hueston,	Spencer,
Cline,	Heisterman,	Kempf,	Stephenson,
Curtiss,	Henry,	Moon,	Woodruff,
Davenport,			

21

#### NAYS.

Mr. Carveth,	Mr. Francis,	Mr. Phelps,	3
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Title agreed to.

On motion of Mr Henry,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

On motion of Mr. Pulver,

The Senate adjourned.

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*Lansing, Wednesday, March 25, 1885.*

The Senate met and was called to order by the President *pro tem.* at 3 o'clock P. M.

Prayer by the Rev. Mr. Brockway, of Albion.

Roll called: a quorum present.

Absent without leave: Senators Davenport and Monroe.

Mr. Woodruff asked and obtained leave of absence for Mr. Davenport for the day.

Mr. Sherwood asked and obtained leave of absence for Mr. Monroe for the day.

## PETITIONS.

No. 338. By Mr. Sherwood: Petition of George H. Murdock, Roscoe Dix, and 22 other citizens of Berrien county for the passage of a bill to secure the rights of minorities in corporations, and give them power to have a representation in the same.

No. 339. By the same: Petition of 18 citizens of Berrien county, same object.

The two petitions were referred to the committee on banks and incorporations.

No. 340. By Mr. S. W. Smith: Petition of James Carey and 92 others of Commerce, Oakland county for the passage of a law prohibiting the manufacture and sale of oleomargarine and butterine;

Referred to the committee on State affairs.

No. 341. By Mr. Hubbell: Remonstrance of F. G. Coggin, P. H. Payne, and 50 others of Houghton county against the passage of the minority bill;

Referred to the committee on banks and incorporations.

No. 342. By Mr. Phelps: Resolutions of the University Society, of Manistee, Michigan, relative to giving graduates of the teachers' class in the University the same privileges as those of the Normal school;

On motion of Mr. Phelps,

The resolutions were referred to the committee on the judiciary, and ordered printed in the Journal.

The following are the resolutions:

At a meeting of the University Society of Manistee, held at the society rooms March 21, 1885, the following proceedings were had, to wit:

WHEREAS, A bill has been introduced into the Legislature of the State of Michigan, to make the teachers' diploma issued by the University of Michigan the legal equivalent of the Normal school diploma; therefore,

*Resolved*, That the graduates of the teachers' course in the University should have the same privileges as those of the Normal school;

*Resolved*, That we heartily approve this bill which aims to widen the sphere of usefulness of the University, and elevate the standard of the qualification for teachers in our public schools;

*Resolved*, That a copy of these resolutions be sent to the respective members of the Legislature from our representative and senatorial districts; and that we respectfully request their support to this measure.

D. S. HARLEY,

*President University Society.*

F. R. BABCOCK, *Secretary.*

No. 343. By Mr. Stephenson: Remonstrance of James Hoskins and 100 others, against any division of Menominee county.

No. 344. By the same: Remonstrance of Melvin Shields and 28 others; same object.

The two petitions were referred to the committee on counties and townships.

No. 345. By Mr. Stephenson: Remonstrance of A. D. Moore and 79 others, citizens of Menominee, against the passage of the minority bill.

No. 346. By the same: Remonstrance of James McKee and 24 others, citizens of Delta county; same object.

No. 347. By Mr. Hertzler: Petition of Isaac Lewis, J. J. Ellis, and 50 others, of Monroe county, in favor of the passage of the minority bill.

The three petitions were referred to the committee on banks and corporations.

No. 348. By Mr. Shoemaker: Remonstrance of Patton Morrison, W. R. Dodge, John W. Boardman, George Allen, and 25 others, citizens of Jackson county, against the passage of the bill to prevent the hunting of deer with dogs;

Referred to the committee on State affairs.

#### REPORTS OF STANDING COMMITTEES.

By the committee on public lands:

The committee on public lands and judiciary, to whom was referred

Senate bill No. 334 (File No. 104), entitled

A bill making an appropriation of State swamp land to aid the counties of Shiawassee and Clinton to remove bars and other obstructions to the free flow of water in the Lookingglass river, and to repeal act No. 239 of the session laws of 1881, entitled "An act to authorize the board of control of State swamp lands to make an appropriation of State swamp land to aid in the removal of bars and other obstructions to the free flow of water in the Lookingglass river, in the counties of Clinton and Shiawassee," approved June 8, 1881,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

J. MANWARING,

*Chairman Committee on Public Lands.*

JAY. A. HUBBELL,

*Chairman Judiciary Committee.*

Report accepted and committee discharged.

On motion of Mr. Manwaring,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 280, entitled

A bill to provide for the appointment and compensation, and prescribe the duties of a stenographer for the 22d judicial circuit,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee.

On motion of Mr. Hertzler,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Kempf,	Mr. Shoemaker,
Brown,	Greiner,	Manwaring,	Smith, G. A.,
Carpenter,	Hawley,	Moon,	Smith, S. W.,
Carveth,	Heisterman,	Pennell,	Spencer,
Cline,	Henry,	Phelps,	Stephenson,
Curtiss,	Hertzler,	Pulver,	Woodruff,
Davis,	Hubbell,	Sherwood,	President
Edwards,	Hueston,		<i>pro tem.</i> , 30

## NAYS.

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Title agreed to.

On motion of Mr. Hertzler,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on judiciary:

The committee on judiciary, to whom was referred—

House bill No. 73, entitled

A bill to correct the records and legalize the proceedings had in laying out certain drains in the township of Warren, in the county of Midland,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee,

On motion of Mr. Woodruff,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Hueston,	Mr. Sherwood,
Brown,	Greiner,	Kempf,	Shoemaker,
Carpenter,	Hawley,	Manwaring,	Smith, G. A.,
Carveth,	Heisterman,	Moon,	Spencer,
Cline,	Henry,	Pennell,	Stephenson,
Curtiss,	Hertzler,	Phelps,	Woodruff,
Davis,	Hubbell,	Pulver,	President
Edwards,			<i>pro tem.</i> 29

## NAYS.

0

Title agreed to.

On motion of Mr. Hubbell,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.



By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 317, entitled

A bill to provide for assigning errors on the charge of any circuit court given to the jury in any civil or criminal suit, action or proceeding.

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 133 (file No. 58), entitled

A bill to amend sections 1, 2, and 3 of chapter 263 of the Compiled Laws of 1871, being continuous sections 9583, 9584, 9585, of Howell's Annotated Statutes of Michigan, of 1882, relative to inquests on the view of dead bodies,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate with an amendment thereto, recommending that the amendment be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendment made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 229 (File No. 91), entitled

A bill to amend section 13 of chapter 150 of the revised statutes of Michigan, of 1846, the same being compiler's section 9019 of Howell's Annotated Statutes of Michigan of 1882, relative to fees of constables in civil cases,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 67 (File No. 75), entitled

A bill to provide for the partition of real estate in certain cases,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment,

and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 98 (File No. 41), entitled

A bill to amend section one of act No. 95 of the session laws of 1873, compiler's section of Howell's Compilation of Laws of Michigan, number 6809, being an act relative to the duties of judges of probate in certain cases,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 665 (File No. 144), entitled

A bill to revise and amend the charter of the city of West Bay City, and to repeal all acts and parts of acts in conflict therewith,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the amendments made to the bill by the committee.

On motion of Mr. Francis,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hubbell,	Mr. Smith, G. A.,
Brown,	Francis,	Manwaring,	Smith, S. W.,
Carpenter,	Greiner,	Moon,	Spencer,
Carveth,	Hawley,	Pennell,	Stephenson,
Cline,	Heisterman,	Phelps,	Woodruff,
Curtiss,	Henry,	Pulver,	President
Davis,	Hertzler,	Sherwood,	<i>pro tem.</i> , 27

## NAYS.

0

Title agreed to.

On motion of Mr. Davis,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on cities and villages:

The committee on cities and villages to whom was referred

Senate bill No. 84, entitled

A bill to amend sundry sections, and to repeal sundry sections of act No. 215 of the session laws of 1873, entitled "An act to incorporate the village of Howard City," as amended March 10, 1877, and May 11, 1881,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying substitute therefor, entitled

A bill to amend section 8, and to repeal sections 13, 14, 15, and 16 of act No. 215 of the session laws of 1873, entitled "An act to incorporate the village of Howard City," and to add one new section thereto, to stand as section 39,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the adoption of the substitute reported for the bill by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 353 (File No. 168), entitled

A bill to incorporate the city of Albion, in the county of Calhoun,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the amendments made to the bill by the committee.

On motion of Mr. Austin,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Sherwood,
Brown,	Francis,	Kempf,	Smith, G. A.,
Carpenter,	Greiner,	Manwaring,	Smith, S. W.,
Carveth,	Hawley,	Moon,	Spencer,
Cline,	Heisterman,	Pennell,	Stephenson,

Mr. Curtiss,  
Davis,

Mr. Hertzler,  
Hubbell,

Mr. Phelps,  
Pulver,

Mr. Woodruff,  
President  
*pro tem.*, 28

NAYS.

0

Title agreed to.

On motion of Mr. Austin,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 497 (File No. 203), entitled

A bill to amend sections 3, 4, 8, 10, 13, 16, 19, 45, 48, 52, 53, 54, 59, 61, 63, 65, 66, 86, 91, and 96 of an act entitled "An act to revise the charter of the city of Adrian," approved March 20, 1865, as amended by act approved March 16, 1869, and further amended by act approved March 18, 1871, and still further amended by act approved April 3, 1879,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the amendments made to the bill by the committee.

On motion of Mr. Carpenter,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time, and pending the taking of the vote thereon,

By unanimous consent Mr. Carpenter moved to amend the bill as follows:

By inserting in section 1, after the number "86," the number "91;"

Which motion prevailed and the bill was so amended.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,  
Brown,  
Carpenter,  
Carveth,  
Cline,  
Curtiss,  
Edwards,

Mr. Francis,  
Greiner,  
Heisterman,  
Hertzler,  
Hubbell,  
Hueston,  
Kempf,

Mr. Manwaring,  
Moon,  
Pennell,  
Phelps,  
Pulver,  
Sherwood,  
Shoemaker,

Mr. Smith, G. A.,  
Smith, S. W.,  
Spencer,  
Stephenson,  
Woodruff,  
President  
*pro tem.*, 27

NAYS.

0

Title agreed to.

On motion of Mr. Carpenter,

By a vote two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 580, entitled

A bill to create a board of public works for the city of East Saginaw, Mich., and to define its powers and duties, and to repeal all laws in conflict therewith,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Woodruff,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Francis,	Mr. Hueston,	Mr. Shoemaker,
Brown,	Greiner,	Kempf,	Smith, G. A.,
Carpenter,	Hawley,	Manwaring,	Smith, S. W.,
Carveth,	Heisterman,	Moon,	Spencer,
Oline,	Henry,	Pennell,	Stephenson,
Curtiss,	Hertzler,	Phelps,	Woodruff,
Davis,	Hubbell,	Sherwood,	President
Edwards,			<i>pro tem.</i> 29

#### NAYS.

0

Title agreed to.

On motion of Mr. Woodruff,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 257 (File No. 112), entitled

A bill to amend section 1 of an act to establish a police force in the township of Grand Rapids, being act No. 289 of the local acts of 1877,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary and public health:

The committee on judiciary and public health, to whom was referred

Senate bill No. 237, entitled

A bill to establish a State board of medical examiners in the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed us to report the same back to the Senate, and ask to have the bill printed for the use of the committee.

JAMES HUESTON,

*Chairman Committee on Public Health.*

JAY A. HUBBELL,

*Chairman Committee on the Judiciary.*

Report accepted.

The bill was ordered printed and re-referred to the committees.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 25, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to return to the Senate the following concurrent resolution:

*Resolved* (the House concurring), That the Governor is hereby requested to call the attention of the people of this State to the importance of planting trees for ornament and shade, by naming a day upon which this work shall be given especial attention, to be known as "Arbor Day;"

In the passage of which the House has concurred.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The concurrent resolution was referred to the committee on engrossmen and enrollment for enrollment.

#### MOTIONS AND RESOLUTIONS.

Mr. Francis moved to take from the table

House bill No. 136 (File No. 44), entitled

A bill to amend chapter 2, and sections 1, 2 and 4 of chapter 3, of an act entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883;

Which motion prevailed.

Mr. Francis moved that the bill be placed on the order of third reading of bills.

Mr. Hawley moved to recommit the bill to the committee of the whole.

Mr. Hawley called for the yeas and nays.

The motion to re-commit then did not prevail by yeas and nays as follows:

#### YEAS.

Mr. Cline,	Mr. Hawley,	Mr. Hueston,	Mr. Pulver,
Curtiss,	Heisterman,	Manwaring,	Sherwood,
Davis,	Hertzler,	Pennell,	Shoemaker,
Greiner,			

13

#### NAYS.

Mr. Austin,	Mr. Francis,	Mr. Moon,	Mr. Spencer,
Brown,	Henry,	Phelps,	Stephenson
Carpenter,	Hubbell,	Smith, G. A.,	Woodruff,
Carveth,	Kempf,	Smith, S. W.,	President
Edwards,			<i>pro tem.</i> , 17

The motion to place the bill on the order of third reading of bills then prevailed.

Mr. Hubbell moved to take from the table

House bill No. 126, entitled

A bill to provide for the payment of the expenses of the Michigan exhibit at the New Orleans Exposition;

Which motion prevailed.

On motion of Mr. Hubbell,

The bill was placed on the order of third reading of bills.

Mr. S. W. Smith offered the following concurrent resolution :

WHEREAS, The United States unsurveyed shoal water lands in Lake St Clair, in the State of Michigan, generally known as the St. Clair Flats, are and long have been a place of favorite and great resort by the people, even from abroad, for boating and sailing, recreation and health, and for fishing and hunting, the same being a world famous resort for game, in season.

AND WHEREAS, It is a grateful convenience and a beneficent privilege to the public to have at hand an inviting resort conferring as does this territory especial favors, where the people may go for proper and healthful pleasure and for relaxation and recuperation from the wearing pursuits of business;

AND WHEREAS, This territory has for so long been a place of free resort for all the people for the purposes aforementioned that they would not now know how to do without it, and situated as it is adjacent to the great and growing city of Detroit—a just pride of the whole country—it too would most justly, deeply, and forever feel its irreparable loss as a place of public resort, while the sum for which it would be sold as a part of the public domain would constitute but a trifling one which would never be felt to be of account;

AND WHEREAS, Attempts have been made by various parties to possess this territory by private acquisition for the purpose of converting the same into close private preserves, thus arbitrarily excluding the public forever from all rights therein and constituting the territory a permanent and most aggravating monopoly against the people for all time, a bill for which purpose was introduced into the preceding congress but which went down under the strong and earnest protest by the people against it by petition and otherwise, aided by private efforts;

AND WHEREAS, Other attempts are being made for the private acquisition of this territory, its possession being very desirable, and it being probable that if not formally set aside for the people it will pass to private occupation either by free-booting right or by private acquisition;

Therefore, This territory being a part of the public domain and believing such measure to be in the line of a wise and beneficent public policy;

*Be it resolved*, by the Senate of the State of Michigan (the House concurring therein) that Congress is hereby requested by proper statute to set aside the said St. Clair territory as a national preserve for the people of the United States, subject to wise and proper regulations which it shall prescribe; and also that our Senators and Representatives in Congress are requested to give their earnest support to such measure, and efficiently oppose all private claims and efforts to obtain possession of said territory which are not plainly warranted by unmistakeable legal right and justice.

AND WHEREAS, We deprecate the policy which the general government has extensively practiced in the past of selling to private parties the United States unsurveyed overflowed shoal water and marsh lands which in many localities in extensive tracts border the nation's public waters—as the inlets of the ocean our navigable lakes and rivers—to be converted by said parties into close private shooting preserves to the perpetual exclusion of the people therefrom, such exclusion greatly abridging, as it does, the freedom and desirable privileges to the people which should be afforded by the public waters, which exclusion is already, and in the future will more and more be felt to be a public aggravation and outrage of magnitude, for the people habitually, largely, and

very properly, and will more and more in the future resort to the public waters for recreation, tripping, health, fishing, sailing and shooting.

AND WHEREAS, These lands are of much account to the people for the purpose of public resort, and also as they come of or belong to the public or people's domain, there is eminent equity and propriety in the demand that they be preserved for public use;

AND WHEREAS, The majority of this class of overflowed favorite territory for fish and game, and for public resort in the nation, has already passed to the exclusion of private ownership and control, therefore we express our earnest belief that the unwise and injurious policy of selling these lands to private parties should go no further; and therefore,

*Be it resolved by the Senate* (the House concurring), That Congress is respectfully requested to interpose against their further private acquisition, and to set aside, by proper enactment, this class of territory belonging to the public domain, as a common preserve for the use of the people, subject to such regulations as may be established by rightful authority; and that our Senators and Representatives in Congress be requested to use their best endeavors to secure such proper legislation.

On motion of Mr. S. W. Smith,

The further consideration of the concurrent resolution was postponed for one day.

#### THIRD READING OF BILLS.

Senato bill No. 16 (File No. 32), entitled

A bill to better protect and preserve deer within this State,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent, Mr. Henry moved to amend the bill as follows:

1. By striking out in section 1, line 3, the following: "1887; and thereafter during the months of October and November of each year."

2. By inserting in lieu thereof the following: "1888; and thereafter during only from the 15th day of October to the 15th day of December of each year."

Which motion prevailed and the bill was so amended.

By unanimous consent Mr. Henry moved to further amend the bill as follows:

By adding to section 3 the following: Any person who shall knowingly have in his possession, purchase, sell, carry, transport, or in any manner handle or deal in any venison before October 15th, 1888, and thereafter during only from October 15th to the 25th of December of each year, shall be subject on conviction to the punishments provided for in section four of this act.

Mr. Henry called for the yeas and nays.

The amendment was not agreed to, by yeas and nays as follows:

#### YEAS.

Mr. Edwards,	Mr. Heisterman,	Mr. Hueston,	Mr. Phelps,
Francis;	Henry,		

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#### NAYS.

Mr. Austin,	Mr. Curtiss,	Mr. Manwaring,	Mr. Smith, G. A.,
Brown,	Greiner,	Moon,	Spencer,
Carpenter,	Hawley,	Sherwood,	Woodruff,
Carveth,	Hertzler,	Shoemaker,	President
Cline,	Hubbell,		<i>pro tem.</i> , 18



By unanimous consent, Mr. Henry moved to further amend the bill as follows:

By striking out sections 2, 3, 5, and 6 of the bill;

Which motion prevailed and the bill was so amended.

By unanimous consent, Mr. Hawley moved to further amend the bill as follows:

By striking out sections 1 and 4 of the bill;

Mr. Manwaring called for the yeas and nays.

The amendment was not agreed to, by yeas and nays as follows:

#### YEAS.

Mr. Austin,	Mr. Greiner,	Mr. Kempf,	Mr. Spencer,
Brown,	Hawley,	Manwaring,	Woodruff,
Carveth,	Hertzler,	Sherwood,	President,
Curtiss,	Hueston,		<i>pro tem.</i> 14

#### NAYS.

Mr. Davenport,	Mr. Heisterman,	Mr. Moon,	Mr. Shoemaker,
Davis,	Henry,	Pennell,	Smith, G. A.,
Edwards,	Hubbell,	Phelps,	Smith, S. W.,
Francis,	Monroe,	Pulver,	Stephenson, 16

On motion of Mr. S. W. Smith,

The bill was laid on the table.

By unanimous consent,

Mr. Shoemaker offered the following resolution:

*Resolved*, That from and after this day the Senate will, until otherwise ordered, hold two sessions each day commencing at 2 and 7½ P. M.;

Which was adopted.

House bill No. 136 (File No. 44), entitled

A bill to amend chapter 2, and sections 1, 2 and 4, of chapter 3, of an act entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," approved June 7, 1883;

Was read a third time, and pending the taking of the vote thereon,

Mr. Cline moved that he be allowed to make an amendment at this time.

Mr. Hawley called for the yeas and nays.

The motion then did not prevail, by yeas and nays as follows:

#### YEAS.

Mr. Cline,	Mr. Greiner,	Mr. Hueston,	Mr. Pulver,
Davenport,	Hawley,	Manwaring,	Sherwood,
Davis,	Heisterman,	Pennell,	Shoemaker, 12

#### NAYS.

Mr. Austin,	Mr. Francis,	Mr. Monroe,	Mr. Spencer,
Brown,	Henry,	Moon,	Stephenson,
Carpenter,	Hubbell,	Smith, G. A.,	Woodruff,
Carveth,	Kempf,	Smith, S. W.,	President
Edwards,			<i>pro tem.</i> , 17

Mr. Shoemaker moved that the bill be recommitted to the judiciary committee with instructions to amend as follows:

By striking out of section 1 all after the word "stated" in the fourth line down to and including the word "years" in seventh line, and inserting in lieu thereof the following:

"The members of said board first appointed shall hold their offices for the term of two and four years from July 1, 1885, respectively, as designated by the mayor in nominating them, and thereafter two members shall be appointed biennially for the full term of four years."

Mr. Hawley called for the yeas and nays.

The motion then did not prevail, by yeas and nays as follows:

## YEAS.

Mr. Cline,	Mr. Greiner,	Mr. Manwaring,	Mr. Sherwood,
Curtiss,	Hawley,	Pennell,	Shoemaker,
Davis,	Heisterman,	Pulver,	11

## NAYS.

Mr. Austin,	Mr. Francis,	Mr. Moon,	Mr. Spencer,
Brown,	Henry,	Phelps,	Stephenson,
Carpenter,	Hubbell,	Smith, G. A.,	Woodruff,
Carveth,	Kempf,	Smith, S. W.,	President
Edwards,	Monroe,		<i>pro tem.</i> , 18

Mr. Hawley moved that he be allowed to offer an amendment at this time ;  
Which motion did not prevail.

Mr. Hawley moved that the bill be referred to the committee on State library, with instructions to add the following amendments, and report the bill back to the Senate forthwith :

1. In section 1, line 8, after "city" insert "and one from the national labor party."

2. In section 2, line 2, strike out "3," and insert "4."

3. In section 2, line 36, strike out "nativity, color ;"

4. In section 3, line 13, strike out "it is enacted that ;"

5. In section 3, lines 24 and 25, strike out balance of sentence after the word "registered ;"

6. In section 6, line 3, strike out "that" and insert "which ;"

7. In section 2, line 14, add "where he gets his meals."

Mr. Francis moved the previous question,

Which was demanded by a majority.

The question being shall the main question be now put,

The same was ordered.

The question being on the motion to recommit,

Mr. Hawley called for the yeas and nays.

The motion did not prevail, by yeas and nays as follows :

## YEAS.

Mr. Cline,	Mr. Greiner,	Mr. Hueston,	Mr. Pulver,
Curtiss,	Hawley,	Manwaring,	Sherwood,
Davenport,	Heisterman,	Pennell,	Shoemaker,
Davis,	Hertzler,		14

## NAYS.

Mr. Austin,	Mr. Francis,	Mr. Moon,	Mr. Spencer,
Brown,	Henry,	Phelps,	Stephenson,
Carpenter,	Hubbell,	Smith, G. A.,	Woodruff,
Carveth,	Kempf,	Smith, S. W.,	President
Edwards,	Monroe,		<i>pro tem.</i> 18

The question being on the passage of the bill,

The same was passed, a majority of all the Senators elect voting therefor, by yeas and nays as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Monroe,	Smith, S. W.,
Brown,	Henry,	Moon,	Spencer,
Carpenter,	Hubbell,	Phelps,	Stephenson,
Carveth,	Hueston,	Pulver,	Woodruff,
Davis,	Kempf,	Smith, G. A.,	President
Edwards,			<i>pro tem.</i> , 21

## NAYS.

Mr. Cline,	Mr. Greiner,	Mr. Manwaring,	Mr. Sherwood,
Ourtiss,	Hawley,	Pennell,	Shoemaker,
Davenport,	Heisterman,		10

Title agreed to.

Mr. Francis moved to reconsider the vote by which the Senate passed the bill.

Mr. Hubbell moved to lay the motion on the table;

Which motion prevailed.

On motion of Mr. Edwards,

The Senate adjourned.

*Lansing, Thursday, March 26, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.  
Prayer by the Rev. Mr. Taylor.

Roll called; a quorum present.

By unanimous consent,

Mr. Carpenter moved to reconsider the vote by which the Senate yesterday passed

House bill No. 497 (File No. 203), entitled

A bill to amend sections 3, 4, 8, 10, 13, 16, 19, 45, 48, 52, 53, 54, 59, 61, 63, 65, 66, 86, 91, and 96, of an act entitled "An act to revise the charter of the city of Adrian," approved March 20, 1865, as amended by act approved March 16, 1869, and further amended by act approved March 18, 1871, and still further amended by act approved April 3, 1879;

Which motion prevailed.

The question being on the passage of the bill,

By unanimous consent Mr. Carpenter moved to amend the bill as follows:

1. By striking out the figure "3" in the enacting clause;

2. By striking out section 3 of the bill,

Which motion prevailed and the bill was so amended.

The bill as amended was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Curtiss,	Mr. Hertzler,	Mr. Phelps,
Belknap,	Davenport,	Hueston,	Sherwood,
Brown,	Davis,	Manwaring,	Shoemaker,
Carpenter,	Francis,	Monroe,	Smith, S. W.,
Carveth,	Greiner,	Moon,	Stephenson,
Cline,	Heisterman,	Pennell,	23

## NAYS.

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The question being on agreeing to the title,

Mr. Carpenter moved to amend the title so as to read as follows:

A bill to amend sections 4, 8, 10, 13, 16, 19, 45, 48, 52, 53, 54, 59, 61, 63, 65, 66, 86, and 95 of an act entitled "An act to revise the charter of the city of Adrian," approved March 20, 1865, as amended by act approved March 16, 1869, and further amended by act approved March 18, 1871, and still further amended by act approved April 3, 1879;

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Carpenter,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. G. A. Smith asked and obtained leave of absence for himself until Friday evening, March 27.

## PETITIONS.

No. 349. By Mr. Stephenson: Petition of H. R. Cole, John Duncan, and 57 other citizens of Calumet for the establishment of a school of technology in the Upper Peninsula.

No. 350. By the same: Petition of A. L. Orr, W. F. Riggs, C. H. Hare, and 30 other citizens of Manistique, same object.

No. 351. By the same: Petitioners named in No. 349, for a State Prison and Reformatory in the Upper Peninsula.

The three petitions were referred to the committee on State affairs.

No. 352. By Mr. Davis: Petition of H. F. Smith, and 14 others, in favor of boiler inspection amendments to the Bay City charter as approved by the common council, being House bill No. (File No. 146).

No. 353. By the same: Petition of W. H. Fitzhugh, and 138 others, of Bay City, for same object.

The two petitions were referred to the committee on cities and villages.

No. 354. By Mr. Carveth: Petition of William Pratt, Dr. H. Chase, and 28 others, for the establishment of a home for disabled soldiers in the State of Michigan;

Referred to the committee on military affairs.

No. 355. By Mr. Carveth: Petition of M. F. Jordon, C. A. Fenton, and 75 others, for the passage of House bills No. 10, 11, 66, 83, 130, and 144;

Referred to the committee on labor.

No. 356. By Mr. Brown: Petition of Samuel Cross, David M. Bateman, and 120 others, of Centerville, St. Joseph county, asking for the submission of a prohibitory constitutional amendment for the suppression of the manufacture and sale of all liquors;

Referred to the committee on the liquor traffic.

## REPORTS OF STANDING COMMITTEES.

By the committees on university and appropriations and finance:

The committees on university and appropriations and finance, to whom was referred jointly

Senate bill No. 202 (File No. 65), entitled

A bill making an appropriation for the use and maintenance of the University of Michigan,

Respectfully report that they have had the same under consideration and have directed us to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

M. SHOEMAKER,

*Chairman Committee on University.*

GEO. A. SMITH,

*Chairman Committee on Appropriations and Finance.*

Report accepted and committees discharged.

On motion of Mr. Shoemaker,

The Senate concurred in the amendments made to the bill by the committees.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committees on the university and appropriations and finance:

The committees on the university and appropriations, to whom was referred jointly

Senate bill No. 201 (File No. 64), entitled

A bill to extend aid to the university of Michigan, and to repeal section 1 of act No. 32 of the session laws of 1873, being section 4944 of Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration and have directed us to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

M. SHOEMAKER,

*Chairman of the Committee on the University.*

GEO. A. SMITH,

*Chairman Committee on Appropriations and Finance.*

Report accepted and committees discharged.

On motion of Mr. Shoemaker,

The Senate concurred in the amendments made to the bill by the committees.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs to whom was referred

House bill No. 221, entitled

A bill to change the name of Celia Jane Marshall to Celia Jane McCuaig, and make her the heir at law of Alexander McCuaig,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs to whom was referred

Senate bill No. 211 (File No. 132), entitled,

A bill to establish and regulate a mining school in the upper peninsula,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Phelps,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom were referred

Senate bill No. 193, entitled

A bill to amend sections 44 and 45 of chapter 147 of the compiled laws of 1871, relative to estates in real property, being sections 5560 and 5561 of Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendment be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 103, entitled

A bill to amend section 18 of chapter 266 of the compiled laws of 1871, being section 9651 of Howell's Statutes relative to county jails and regulation thereof,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 196, entitled

A bill to amend sections 6947 and 6948 of Howell's Annotated Statutes, being compiled laws of 1871, sections 5382 and 5383, relative to assignments of judgments in justices' courts.

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 199, entitled

A bill to amend section 15 of act 269 of the session laws of 1881, entitled "An act to revise and consolidate the laws of this State providing for the drainage of swamps and marshes and other low lands, and to repeal the acts of March 22, 1869, and April 13, 1871, known as the county drain law and the township drain law, approved June 11, 1881."

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and with the recommendation that said bill be referred to the select committee on drain laws, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was referred to the select committee on drain laws.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 281, entitled

A bill to authorize the supervisors of the township of Northfield, Washtenaw county, Michigan, to make a re-assessment to defray the expenses of public improvements in said township of Northfield, known as the Horse-shoe Lake inlet or drain; also the Horse-shoe outlet or drain, and the Ludwig drain. For a full and complete description of which reference is had to the original survey for the construction of the same, now on file in the office of the clerk of said township,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendments thereto, and recommend that said bill be referred to the select committee on drain laws, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was referred to the select committee on drain laws.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Memorial No. 1, entitled

Memorial of John Greusel, Jr., contesting the right of the seat now occupied by Senator James Hueston,

Respectfully report that they have fully investigated the same, and find that Hon. James Hueston was duly elected and is entitled to the seat which he now holds.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The report was adopted.

On motion of Mr. Hubbell,

The memorial was laid on the table.

By the committee on fisheries:

The committee on fisheries, to whom was referred

House bill No. 147 (File No. 52), entitled

A bill to amend sections 2, 8, and 12 of an act entitled "An act to regulate the catching of fish in certain waters of this State," being act No. 188 of the session laws of 1875, approved May 1, 1875,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

R. KEMPF, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kempf,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred

House bill No. 224 (File No. 136), entitled

A bill to amend an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, being act No. 350, session laws of 1865, by adding two new sections to be designated as sections 12 and 13,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

R. KEMPF, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kempf,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred

House bill 226 (File No. 118), entitled

A bill to amend section 3 of an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, designated as section 2165, chapter 63 of the general statutes in force,



Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

R. KEMPF, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kempf,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following concurrent resolution:

*Resolved* (The House concurring), That the Governor is hereby requested to call the attention of the people of this State to the importance of planting trees for ornament and shade, by naming a day upon which this work shall be given especial attention, to be known as "Arbor Day."

J. W. BELKNAP, *Chairman.*

Report accepted.

By the committees on appropriations and finance, and State affairs:

The committees on appropriations and finance, and State affairs, to whom was referred

Senate bill No. 139, entitled

A bill to establish a State house of correction and branch of the State Prison in the Upper Peninsula, and to provide for the location and erection thereof, and making an appropriation therefor,

Respectfully report that they have had the same under consideration, and have directed us to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

GEO. A. SMITH,

*Chairman Committee on Appropriations and Finance.*

FITCH PHELPS,

*Chairman Committee on State Affairs.*

Report accepted and committee discharged.

On motion of Mr. G. A. Smith,

The Senate concurred in the amendments made to the bill by the committees.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate bill No. 379, entitled

A bill to authorize the board of water commissioners of the city of East Saginaw to borrow money to lay water pipe.

J. W. BELKNAP, *Chairman.*

Report accepted.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 183 (File No. 73), entitled

\*A bill to amend and revise the charter of the city of Port Huron,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the amendments made to the bill by the committee.

On motion of Mr. Oline,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was read a third time, and pending the taking of the vote thereon,

By unanimous consent,

Mr. Cline moved to amend the bill as follows:

By striking out of section 25, chapter XIV, the words "and from 2 o'clock until 5 o'clock in the afternoon;"

Which motion prevailed and the bill was so amended.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hubbell,	Mr. Phelps,
Carpenter,	Francis,	Hueston,	Sherwood,
Carveth,	Greiner,	Kempf,	Smith, G. A.,
Cline,	Hawley,	Manwaring,	Smith, S. W.,
Curtiss,	Heisterman,	Monroe,	Spencer,
Davenport,	Henry,	Moon,	Stephenson,
Davis,	Hertzler,	Pennell,	Woodruff, 28

#### NAYS.

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Title agreed to.

On motion of Mr. Oline,

By a vote two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

Senate bill No. 23 (File No. 7), entitled

A bill to detach certain portions of territory from the townships of Springwells, Greenfield, and Hamtramck, and to annex the same to the city of Detroit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying substitute therefor, entitled

A bill to amend sections 3, 4, and 5 of chapter 1 of an act entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," being act No. 326 of the Session Laws of 1883,

approved June 7, 1883, and to add a new section to said chapter to be known as section 6,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANÇOIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the adoption of the substitute reported for the bill by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committees on reform school and appropriations and finance:

The committees on reform school and appropriations and finance to whom was referred, jointly, Senate bill No. 79, entitled a bill making appropriations for the support of the reform school for the years 1885 and 1886, and for the erection of buildings and furnishing the same,

Respectfully report that they have had the same under consideration, and have visited the reform school on two different occasions, with a view of ascertaining fully the merits and needs of the institution. In each of these visits we have been afforded every opportunity for acquainting ourselves thoroughly with every feature of its work.

As a result of our visit, we have become deeply impressed with the importance and value of this institution to the State, and deem it but justice to the management to say that we believe that the work of the school is being done in a manner deserving the highest praise. Throughout the institution cleanliness, cheerfulness, and enthusiasm everywhere prevail. The interest manifested by the boys, both in work and study, is remarkable, and is in itself proof that they are well instructed and wisely disciplined, and that they are earnestly endeavoring to use the advantages afforded by the school to their lasting good. Excellence in every task, whether in the school-room or shop, is the standard toward which all seem to be striving.

Having formed this very favorable opinion of the work being accomplished by this school, it was our next duty to ascertain as to its cost to the State. It is with pleasure that we are able to report that wise economy prevails in all expenditures. While the boys are neatly and comfortably clothed, while they have an abundance of wholesome and nutritious food, and while they have competent teachers and overseers, still in no one of these particulars is there any expenditure other than what is necessary. In no direction are the boys educated to habits or tastes which will unfit them for accepting cheerfully the surroundings incident to the humblest walks of life after they leave the institution. A careful comparison of the cost of maintaining our different State institutions shows that the Reform School has been managed with great economy. The same fact is shown when we compare its cost with the cost of similar institutions in other States. The amount asked for, for current expenses, for the years 1885 and 1886 is \$52,000 per annum. The statement presented of the actual maintenance disbursements for the years 1883 and 1884, with the anticipated increase in number of inmates to be provided for, shows this amount to be reasonable and as small as it can be made. The rapid increase in the number of inmates since the estimates of the board of control make the estimated amount per capita on probable number of inmates smaller than was thought necessary. But the board hope that by strict economy they may get through with amount named.

Your committee believe with the State board of corrections and charities "the rebuilding of the central or main building evidently contemplated by the Legislature which authorized and provided for the rebuilding of the north wing, now in process of construction, is desirable, and the amount estimated, \$40,000, will probably be required to complete it in a manner to conform both architecturally, and in quality of material and workmanship, with the new north wing." The erection of another double cottage seems to be a necessity, and should be done before the main building can be torn down. The school now has seventy boys more than it has proper dormitory and school-room accommodations for. In anticipation of added facilities in this direction the board of control have temporarily provided for this number rather than to refuse to take those legally committed to the institution. The amount recommended for this, \$18,000 is reasonable. The bakery and flour room recommended by the board of control are a necessity, and the amount asked is as small as will properly erect the building. At the suggestion of the board of control we have amended the bill as presented to the Senate, by leaving out the item appropriating \$1,500 for raising the water tower and building in it an iron tank, as since the bill was presented the city of Lansing has taken the initiatory steps toward a water supply for the city, from which it is believed the Reform School can draw its supply more economically and more satisfactorily than by any appliances upon the grounds.

And your committees have further amended the bill by adding the sum of \$3,000 for a hospital. When we examined the provisions for caring for the sick, we immediately and unanimously agreed that these provisions were very unfortunate in location, and altogether inadequate in extent. The school should have an independent building for this purpose, where, in case of necessity, individuals could be isolated entirely from each other, and from the school at large. It is thought that the amount named will reasonably supply this very pressing need.

Your committees therefore approve all the items named in the bill as amended, believing that no one can be omitted or reduced without serious injury to the best interests of the State as represented in the important work of this institution; and we are happy to report that with the improvements which this bill provides for, the institution will be well equipped with buildings for many years to come.

The committees report the bill back to the Senate with amendments as already noted, and recommend that it do pass, and ask to be discharged from the further consideration of the subject,

H. C. SPENCER,

*Chairman of Committee on Reform School.*

G. A. SMITH,

*Chairman of Committee on Appropriations and Finance.*

Report accepted and committees discharged.

On motion of Mr. G. A. Smith,

The Senate concurred in the amendments made to the bill by the committees.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on supplies and miscellaneous expenses of the Senate:

The committee on supplies and miscellaneous expenses of the Senate, report the following bills.

A. C. Maxwell's bill for 60 copies of the Tax Law Reporter ordered by the Senate for the use of the committee on taxation.....\$15 00

Which they have had under consideration, and directed me to report the same to the Senate, and recommend the allowance, and ask to be discharged from the further consideration of the subject.

H. WOODRUFF, *Chairman*.

Report accepted.

On motion of Mr. Woodruff,

The bill was allowed.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred

House bill No. 134 (File No. 92), entitled

A bill to prohibit the teaching of languages other than the English, and studies in other than the English language in the primary schools of this State, except in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman*.

Report accepted and committee discharged.

Mr. Hubbell moved that the further consideration of the bill be indefinitely postponed.

Mr. Manwaring called for the yeas and nays.

The motion then prevailed, by yeas and nays as follows:

#### YEAS.

Mr. Brown,	Mr. Edwards,	Mr. Hubbell,	Mr. Sherwood,
Carveth,	Francis,	Hueston,	Smith, G. A.,
Cline,	Greiner,	Kempf,	Spencer,
Davenport,	Heisterman,	Phelps,	Stephenson,
Davis,	Hertzler,	Pulver,	Woodruff, 20

#### NAYS.

Mr. Curtiss,	Mr. Manwaring,	Mr. Monroe,	Mr. Pennell,
Henry,			

5

#### MESSAGES FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICE,  
Lansing, March 26, 1885. }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State,

The Senate concurrent resolution relative to "Arbor Day."

RUSSELL A. ALGER, *Governor*.

The message was laid on the table.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, March 26, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to return to the Senate the following bill:

Senace bill No. 118 (File No. 53), entitled

A bill to incorporate the village of Boyne City;

And to inform the Senate that the House has amended the same by striking out, in line 3, section 4, the word "freeholders," and inserting the word "electors" in lieu thereof;

In the passage of which, as thus amended, the House has concurred by a majority vote of all the members elect, and has ordered the bill to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

Mr. Francis moved that the Senate concur in the amendments made to the bill by the House;

Which motion prevailed by yeas and nays as follows:

YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Kempf,	Mr. Shoemaker,
Brown,	Francis,	Manwaring,	Smith, G. A.,
Carpenter,	Greiner,	Mouroe,	Smith, S. W.,
Cline,	Heisterman,	Pennell,	Spencer,
Curtiss,	Henry,	Pulver,	Stephenson,
Davenport,	Hertzler,	Sherwood,	Woodruff,
Davis,	Hueston,		

26

NAYS.

0

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 25, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 379, entitled

A bill to authorize the board of water commissioners of East Saginaw to borrow money to lay water pipe;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 26, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 397 (File No. 143), entitled

A bill to amend section 12 of act No. 83 of the session laws of 1873, being continuous section 4258 of Howell's Annotated Statutes of Michigan, entitled "An act to provide for the incorporation of mutual fire insurance companies, and defining their powers and duties, and to repeal chapter 97 of the compiled

laws of 1871, and also act No. 94 of the session laws of 1871," approved April 12, 1871;

2. House bill No. 80 (File No. 129), entitled

A bill to regulate the trial of actions for damages arising from negligence;

3. House bill No. 211 (File No. 97), entitled

A bill to amend section 1 of act number 138 of the public acts of 1875, relative to subjects for dissection for the advancement of science, approved April 27, 1875, as amended by act number 16 of the public acts of 1881, approved March 2, 1881, the same being section 2110 of the compiled laws of 1871, as amended, the same being chapter 72, section 2284 of Howell's Annotated Statutes of Michigan;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on insurance.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The third named bill was read a first and second time by its title, and referred to the committee on public health.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 25, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 338 (File No. 257) entitled

A bill to incorporate the village of Newberry, Chippewa county;

2. House bill No. 396, entitled

A bill to incorporate the village of Metamora, Lapeer county;

3. House bill No. 666, entitled

A bill to incorporate the public schools of the township of Bangor, Bay county;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and

On motion of Mr. Stephenson,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,  
Brown,  
Carpenter,  
Carveth,  
Oline,

Mr. Edwards,  
Francis,  
Greiner,  
Hawley,  
Heisterman,

Mr. Hueston,  
Kempf,  
Manwaring,  
Monroe,  
Moon,

Mr. Pulver,  
Sherwood,  
Shoemaker,  
Smith, G. A.,  
Smith, S. W.,

Mr. Curtiss, Davenport, Davis,	Mr. Henry, Hertzler,	Mr. Pennell, Phelps,	Mr. Stephenson, Woodruff,	29
NAYS.				0

Title agreed to.

On motion of Mr. Stephenson,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The second named bill was read a first and second time by its title, and

On motion of Mr. Manwaring,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin, Brown, Carpenter, Carveth, Cline, Curtiss, Davenport, Davis,	Mr. Edwards, Francis, Greiner, Heisterman, Hertzler, Hubbell, Hueston,	Mr. Kempf, Manwaring, Monroe, Moon, Pennell, Phelps, Pulver,	Mr. Sherwood, Shoemaker, Smith, G. A., Smith, S. W., Spencer, Stephenson, Woodruff,	29
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#### NAYS.

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Title agreed to.

On motion of Mr. Manwaring,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The third named bill was read a first and second time by its title, and referred to the committee on education and public schools.

#### MOTIONS AND RESOLUTIONS.

Mr. Francis moved that the committee of the whole be discharged from the further consideration of

Senate bill No. 146 (File No. 128), entitled

A bill to incorporate the village of Frankfort, Benzie county, Michigan;

Which motion prevailed

On motion of Mr. Francis,

The bill was placed on the order of third reading.

Mr. Kempf moved that the committee of the whole be discharged from the further consideration of

Senate bill No. 132 (File No. 68), entitled

A bill to provide for the deposit of the public moneys by the county treasurers with banking corporations, on interest;

Which motion prevailed.

On motion of Mr. Kempf,

The bill was recommitted to the committee on banks and incorporations.

Mr. Francis moved that the committee of the whole be discharged from the further consideration of

Senate bill No. 152 (File No. 54), entitled

A bill to re-incorporate the village of Roscommon, Roscommon county;

Which motion prevailed.



On motion of Mr. Francis,

The bill was placed on the order of third reading.

Mr. Henry offered the following resolution :

*Resolved*, That the committee on military affairs be permitted to sit in committee session at any time during the sessions of the Senate ;

Which was adopted.

### THIRD READING OF BILLS.

Senate bill No. 152 (File No. 54), entitled

A bill to re-incorporate the village of Roscommon, Roscommon county,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent,

Mr. Henry moved to amend the bill as follows :

1. By striking out all after section 4 of the bill up to section 45 ;

2. By renumbering section 45 to stand as section 5 ;

3. By adding the following to stand as sections 6 and 7 :

SEC. 6. The president of said village shall be *ex officio* a member of the board of supervisors of said county of Roscommon.

SEC. 7. The said village of Roscommon shall, in all things not herein otherwise provided, be subject to, and its powers and duties defined by act No. 63 of the session laws of 1875, entitled "An act granting and defining the powers and duties of incorporated villages." Said village as incorporated shall possess all the property and rights, and be subject to all the liabilities and obligations of the village as hereinafter incorporated ;

Which motion prevailed and the bill was so amended.

The bill as amended was then passed, a majority of all the Senators elect voting therefor by yeas and nays as follows :

### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Kempf,	Mr. Sherwood,
Brown,	Francis,	Manwaring,	Shoemaker,
Carveth,	Greiner,	Monroe,	Smith, G. A.,
Oline,	Heisterman,	Moon,	Smith, S. W.,
Curtiss,	Henry,	Pennell,	Spencer,
Davenport,	Hertzler,	Phelps,	Woodruff,
Davis,	Hueston,	Pulver,	

27

### NAYS.

0

Title agreed to.

On motion of Mr. Francis,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

House bill No. 126, entitled

A bill to provide for the payment of the expense of the Michigan exhibit at the New Orleans exposition.

The bill was read a third time and passed, two-thirds of all the Senators elect voting therefor, by yeas and nays, as follows :

### YEAS.

Mr. Austin,	Mr. Francis,	Mr. Hueston,	Mr. Sherwood,
Belknap.	Greiner,	Monroe,	Smith, G. A.,
Brown,	Hawley,	Moon,	Spencer,
Carveth,	Heisterman,	Phelps,	Stephenson,
Curtiss,	Hertzler,	Pulver,	Woodruff,
Davis,	Hubbell,		

22

## NAYS.

Mr. Carpenter, Oline,	Mr. Davenport, Edwards,	Mr. Henry, Manwaring,	Mr. Pennell, Shoemaker, 8
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Title agreed to.

On motion of Mr. Hubbell,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 146 (File No. 128), entitled

A bill to incorporate the village of Frankfort, Benzie county, Michigan.

The bill was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin, Belknap, Brown, Carpenter, Curtiss, Davenport, Edwards,	Mr. Francis, Greiner, Heisterman, Henry, Hertzler, Hubbell, Hueston,	Mr. Kempf, Manwaring, Monroe, Moon, Phelps, Pulver,	Mr. Sherwood, Shoemaker, Smith, G. A., Spencer, Stephenson, Woodruff,
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25

## NAYS.

0

Title agreed to.

On motion of Mr. Francis,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

## UNFINISHED BUSINESS.

Being the consideration of the following concurrent resolution:

WHEREAS, The United States unsurveyed shoal water lands in Lake St. Clair, in the State of Michigan, generally known as the St. Clair Flats, are and long have been a place of favorite and great resort by the people, even from abroad, for boating and sailing, recreation and health, and for fishing and hunting, the same being a world famous resort for game, in season;

AND WHEREAS, It is a grateful convenience and a beneficent privilege to the public to have at hand an inviting resort conferring as does this territory especial favors, where the people may go for proper and healthful pleasure and for relaxation and recuperation from the wearing pursuits of business;

AND WHEREAS, This territory has for so long been a place of free resort for all the people for the purposes aforementioned that they would not now know how to do without it, and situated as it is adjacent to the great and growing city of Detroit—a just pride of the whole country—it too would most justly, deeply, and forever feel its irreparable loss as a place of public resort, while the sum for which it would be sold as a part of the public domain would constitute but a trifling one which would never be felt to be of account;

AND WHEREAS, Attempts have been made by various parties to possess this territory by private acquisition for the purpose of converting the same into close private preserves, thus arbitrarily excluding the public forever from all rights therein and constituting the territory a permanent and most aggravating monopoly against the people for all time, a bill for which purpose was introduced into the preceding congress but which went down under the strong and earnest protest by the people against it by petition and otherwise, aided by private efforts;

AND WHEREAS, Other attempts are being made for the private acquisition of this territory, its possession being very desirable, and it being probable that if not formally set aside for the people it will pass to private occupation either by free-booting right or by private acquisition;

*Therefore*, This territory being a part of the public domain and believing such measure to be in the line of a wise and beneficent public policy;

*Be it resolved by the Senate of the State of Michigan* (the House concurring therein) That Congress is hereby requested by proper statute to set aside the said St. Clair territory as a national preserve for the people of the United States, subject to wise and proper regulations which it shall prescribe; and also that our Senators and Representatives in Congress are requested to give their earnest support to such measure, and efficiently oppose all private claims and efforts to obtain possession of said territory which are not plainly warranted by unmistakable legal right and justice.

AND WHEREAS, We deprecate the policy which the general government has extensively practiced in the past of selling to private parties the United States unsurveyed overflowed shoal water and marsh lands which in many localities in extensive tracts border the nation's public waters—as the inlets of the ocean our navigable lakes and rivers—to be converted by said parties into close private shooting preserves to the perpetual exclusion of the people therefrom, such exclusion greatly abridging, as it does, the freedom and desirable privileges to the people which should be afforded by the public waters, which exclusion is already, and in the future will more and more be felt to be a public aggravation and outrage of magnitude, for the people habitually, largely, and very properly, and will more and more in the future resort to the public waters for recreation, tripping, health, fishing, sailing and shooting.

AND WHEREAS, These lands are of much account to the people for the purpose of public resort, and also as they come of or belong to the public or people's domain, there is eminent equity and propriety in the demand that they be preserved for public use;

AND WHEREAS, The majority of this class of overflowed favorite territory for fish and game, and for public resort in the nation, has already passed to the exclusion of private ownership and control, therefore we express our earnest belief that the unwise and injurious policy of selling these lands to private parties should go no further; and therefore,

*Be it resolved by the Senate* (the House concurring), That Congress is respectfully requested to interpose against their further private acquisition, and to set aside, by proper enactment, this class of territory belonging to the public domain, as a common preserve for the use of the people, subject to such regulations as may be established by rightful authority; and that our Senators and Representatives in Congress be requested to use their best endeavors to secure such proper legislation.

On motion of Mr. S. W. Smith,

The concurrent resolution was laid on the table.

#### SPECIAL ORDER.

Being the consideration of  
Senate joint resolution No. 3 (File No. 4), entitled  
Joint resolution proposing an amendment to section 11 of article 5 of the constitution of the State, relative to reprieves, commutations, and pardons.

On motion of Mr. Henry,

The joint resolution was laid on the table.

## GENERAL ORDER.

On motion of Mr. S. W. Smith,

The Senate went into the committee of the whole, on the general order,  
Mr. Manwaring in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following:  
House bill No. 65 (File 17), entitled

A bill to amend section 1 of act 94 of the session laws of 1883, entitled  
“An act to insure payment of wages earned and for materials used in constructing, repairing, or ornamenting public buildings and public works;”

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

The committee of the whole have also had under consideration the following:

House bill No. 28 (File No. 122), entitled

A bill to amend sections 10, 11, 12, 13, 14, 16, 17, 21, 22, and 23, of chapter 50, of Howell's Annotated Statutes of Michigan for 1882, relating to the State Public School for dependent and neglected children, being compiler's sections 1971, 1972, 1973, 1974, 1975, 1977, 1978, 1981, 1982, and 1983, and to add a new section thereto which shall be known as section 18;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

J, MANWARING, *Chairman.*

Report accepted and committee discharged.

The first named bill was placed on the order of third reading of bills.

On motion of Mr. Manwaring,

The Senate concurred in the amendments made by the committee to the last named bill, and the same was placed on the order of third reading of bills.

On motion of Mr. Belknap,

The Senate went into executive session with open doors, the time being 5:25 o'clock P. M.

The executive session closed, the time being 5:40 o'clock P. M.

On motion of Mr. Henry,

The Senate adjourned.

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*Lansing, Friday, March 27, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.  
Prayer by the Rev. Mr. Thompson.

Roll called: a quorum present.

## PETITIONS.

No. 357. By Mr. Shoemaker: Petition of Henry H. Bingham for the opening of a street through the land of the State, near the Jackson State Prison;

Referred to the committee on State Prison.

No. 358. By Mr. Sherwood: Petition of 60 citizens of Berrien county, for the passage of the pharmacy bill.

No. 359. By Mr. Curtiss: Petition of J. Q. Look, F. B. Hine, and 136 other citizens of the village of Lowell; same object.

The two last named petitions were referred to the committee on public health.

No. 360. By Mr. Henry: Petition of John Doyle and 14 others, for the incorporation of Au Sable city.

No. 361. By the same: Petition of W. Travers and 13 others; same object.

No. 362. By the same: Remonstrance of P. K. Corcoran and 25 others against the incorporation of Au Sable city.

No. 363. By the same: Affidavit relative to the incorporation of Au Sable city.

The four last named petitions, etc., were referred to the committee on cities and villages.

No. 364. By Mr. Phelps: Petition of C. L. Northrup and 13 others for the establishment of a home for disabled soldiers, sailors, and marines in this State.

No. 365. By the same: Petition of Henry Cartwright and 13 others for a State bounty.

The two petitions were referred to the committee on military affairs.

No. 366. By Mr. Manwaring: Petition of William H. Blow and 60 other citizens and taxpayers of Dryden and Metamora, Lapeer county, for the repeal of so much of the tax law as relates to boards of review except as to cities.

On motion of Mr. Manwaring,

The petition was ordered printed in the Journal and referred to the select committee on taxation.

The following is the petition :

*To the Legislature of the State of Michigan :*

The petition of the undersigned citizens and tax-payers of said State, respectfully show: That the board of review, appointed by the township boards of the several townships of this State, under section 18 of the tax law of 1882, is of no practical use or benefit, and that the expense connected therewith is a needless burden upon the tax-payers of this State ;

Wherefore, your petitioners would respectfully ask, that so much of the tax law of 1882 as relates to the appointment and duties of said board of review, be made inoperative and of no effect, excepting such part or parts of said law as may apply to incorporated cities.

Dated March 16, 1885.

#### REPORTS OF STANDING COMMITTEES.

By the committee on cities and villages :

The committee on cities and villages, to whom was referred

House bill No. 670 (File No. 146), entitled

A bill to amend sundry sections of an act entitled " An act to revise an act to incorporate the city of Bay City," approved March 21, 1865, as amended and revised by the several acts amendatory and revisionary thereof, and to add a new section thereto to stand as section 101 of said act,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill

when so amended do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Davis,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hubbell,	Mr. Pennell,
Belknap,	Edwards,	Hueston,	Phelps,
Brown,	Francis,	Kempf,	Sherwood,
Carveth,	Greiner,	Manwaring,	Shoemaker,
Cline,	Heisterman,	Monroe,	Smith, S. W.,
Curtiss,	Hertzler,	Moon,	Spencer,
Davenport,			

25

NAYS.

0

Title agreed to.

On motion of Mr. Davis,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committees on cities and villages and on judiciary jointly:

The committees on cities and villages and on judiciary jointly, to whom was referred

Senate bill No. 18, entitled

A bill to authorize the holding of township elections and other township meetings within the limits of incorporated cities and villages,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS,

*Chairman Committee on Cities and Villages.*

JAY A. HUBBELL,

*Chairman Committee on the Judiciary.*

Report accepted and committee discharged.

On motion of Mr. Brown,

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 171, entitled

A bill to provide for the registration of births, marriages, and deaths, and to repeal chapter 16 of the compiled laws of 1871, being chapter 23, of Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Senate bill No. 208, entitled

A bill to provide for the collection and publication of statistics of divorce within this State,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committees on State library and appropriations and finance:

The committees on state library and appropriations and finance to whom was referred

Senate bill No. 136, entitled

A bill making an appropriation for the purchase of books for the State Library, and other purposes,

Respectfully report that they have had the same under consideration, and have directed us to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. W. BELKNAP,

*Acting Chairman Committee on Appropriations and Finance.*

T. D. HAWLEY,

*Chairman Committee on State Library.*

Report accepted and committees discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate bill No. 118 (File No. 53), entitled

A bill to incorporate the village of Boyne city,

J. W. BELKNAP, *Chairman.*

Report accepted.

By the committee on appropriations and finance:

The committee on appropriations and finance, to whom was referred

Senate bill No. 218, entitled

A bill to provide for an appropriations for the preparation, publication, and distribution of the proceedings of the annual meetings of the Michigan superintendents of the poor for the years 1885 and 1886,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. W. BELKNAP, *Acting Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred House bill No. 666, entitled

A bill to incorporate the public schools of the township of Bangor, Bay county,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate with an amendment thereto, recommending that the amendment be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Carveth,

The Senate concurred in the amendments made to the bill by the committee.

On motion of Mr. Carveth,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Curtiss,	Mr. Heisterman,	Mr. Pennell,
Belknap,	Davenport,	Hertzler,	Sherwood,
Brown,	Davis,	Hubbell,	Shoemaker,
Carpenter,	Edwards,	Hueston,	Smith, S. W.,
Carveth,	Greiner,	Monroe,	Spencer,
Cline,	Hawley,	Moon,	Stephenson,

24

NAYS.

Mr. Francis,	Mr. Manwaring,	Mr. Phelps,	3
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Title agreed to.

On motion of Mr. Carveth,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 366, entitled

A bill to fix the liability of sureties on the bonds of public officers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee,

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.



By the committee on judiciary :

The committee on judiciary, to whom was referred

Senate bill No. 128 (File No. 113), entitled

A bill to establish a recorder's court for the city of Kalamazoo, and to define the jurisdiction of the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Brown,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows :

YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hubbell,	Mr. Pennell,
Belknap,	Davis,	Hueston,	Phelps,
Brown,	Edwards,	Kempf,	Sherwood,
Carpenter,	Francis,	Manwaring,	Smith, S. W.,
Carveth,	Greiner,	Monroe,	Spencer,
Oline,	Heisterman,	Moon,	Stephenson,
Curtiss,	Hertzler,		

26

NAYS.

0

Title agreed to.

On motion of Mr. Brown,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committees on industrial home for girls, and appropriation and finance :

The committees on industrial home for girls, and appropriation and finance, to whom was referred, jointly,

Senate bill No. 227, entitled

A bill making an appropriation for the State industrial home for girls for the years 1885 and 1886,

Respectfully report that they have had the same under consideration, and have directed us to report the same back to the Senate with amendments, thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

CHARLES AUSTIN,

*Chairman of Committee on Industrial Home for Girls.*

J. W. BELKNAP,

*Acting Chairman Committee on Appropriations and Finance.*

Report accepted and committee discharged.

On motion of Mr. Austin,

The Senate concurred in the amendments made to the bill by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

## MESSAGE FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICE,  
Lansing, March 26, 1885. }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State:

Senate bill No. 379, being

A bill to authorize the board of water commissioners of East Saginaw to borrow money to lay water pipe.

RUSSELL A. ALGER,  
Governor. ,

The message was laid on the table.

## MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 27, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to return to the Senate the following bills:

1. Senate bill No. 152 (File No. 54), entitled

A bill to re-incorporate the village of Roscommon, Roscommon county;

2. Senate bill No. 146 (File No. 128), entitled

A bill to incorporate the village of Frankfort, Benzie county, Mich.;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,  
Clerk of the House of Representatives.

The two bills were referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 27, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit to the Senate the following bills:

1. House bill No. 671, entitled

A bill to amend section 1 of act No. 317, of the session laws of 1883, entitled "An act to organize the public library of West Bay City;"

2. House bill No. 415 (File No. 252), entitled

A bill to amend sections 2 and 5 of chapter 3, section 1 of chapter 19, entire of chapter 21, by substituting a new chapter therefor to stand as chapter 21, and to amend section 5 of chapter 24, of act No. 223 of the session laws of 1883, entitled "An act to incorporate the city of St. Ignace," approved March 14, 1883,

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered

to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on education and public schools.

The bill was read a first and second time by its title, and

On motion of Mr. Stephenson,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hubbell,	Mr. Pennell,
Belknap,	Francis,	Hueston,	Pulver,
Brown,	Greiner,	Kempf,	Sherwood,
Carpenter,	Hawley,	Manwaring,	Smith, S. W.,
Carveth,	Heisterman,	Monroe,	Spencer,
Cline,	Hertzler,	Moon,	Stephenson,
Curtiss,			

25

NAYS.

0

Title agreed to.

On motion of Mr. Stephenson,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 26, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 468 (File No. 201), entitled

A bill to amend an act entitled "An act to provide for the incorporation of institutions of learning," approved February 9, 1855, being chapter 138 of Howell's Annotated Statutes of the State of Michigan, as amended by act No. 77, of the session laws of 1883;

2. House bill No. 215 (File No. 169), entitled

A bill to amend an act entitled an act to revise an act entitled an act to incorporate the board of education of the city of East Saginaw, and all acts amendatory thereof;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

The first named bill was read a first and second time by its title, and referred to the committee on education and public schools.

The second named bill was read a first and second time by its title, and

On motion of Mr. Davenport,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time, and

On motion of Mr. Davenport,

The bill was referred to the committee on education and public schools.  
The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 26, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 386 (File No. 171), entitled

A bill to amend sections 80 and 81, of chapter 247 of Howell's Annotated Statutes, being compiler's sections 6670 and 6671, relating to proceedings against absent, concealed, and non-resident defendants, in courts of chancery;

2. House bill No. 142 (File No. 96), entitled

A bill to amend sections 50 and 51 of act No. 180 of the session laws of 1875; also compiler's sections 6255 of the compiled laws of 1871, said sections being continuous sections 7836, 7837, 7838, and 7839 of Howell's Annotated Statutes relative to the action of ejectment;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on judiciary.

#### MOTIONS AND RESOLUTIONS.

Mr. Curtiss offered the following concurrent resolution:

WHEREAS, James Anderson claims that there is justly due him from the State of Michigan a sum of money for time, services, and expenses, expended by him in recruiting for the Michigan colored regiment, for which he has received no reimbursement or compensation; therefore, be it

*Resolved by the Senate* (the House of Representatives concurring), That the State Military Board be and they are hereby authorized to investigate and examine said claim, and determine as to the same, and what amount, if anything, is justly and equitably due and owing to said James Anderson therefor; and said board is hereby authorized and empowered to settle and adjust such claim, and allow said James Anderson such sum as they find due him therefor.

On motion of Mr. Sherwood,

The same was referred to the committee on military affairs.

#### THIRD READING OF BILLS.

House bill No. 65 (File No. 17), entitled

A bill to amend section 1 of act 94 of the session laws of 1883, entitled "An act to insure payment of wages earned, and for materials used in constructing, repairing, or ornamenting public buildings and public works,"

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,  
Belknap,  
Brown,  
Carpenter,

Mr. Davenport,  
Davis,  
Edwards,  
Francis,

Mr. Hubbell,  
Hueston,  
Kempf,  
Manwaring,

Mr. Phelps,  
Pulver,  
Sherwood,  
Smith, S. W.,

Mr. Carveth, Oline, Curtiss,	Mr. Hawley, Heisterman, Hertzler,	Mr. Monroe, Moon, Pennell,	Mr. Spencer, Stephenson,	27
NAYS.				0

Title agreed to.

House bill No. 28 (File No. 122), entitled

A bill to amend sections 10, 11, 12, 13, 14, 16, 17, 21, 22, and 23 of chapter 50 of Howell's Annotated Statutes of Michigan for the year 1882, relating to the State public school for dependent and neglected children, being compiler's sections 1971, 1972, 1973, 1974, 1975, 1977, 1978, 1981, 1982, 1983, and to add a new section thereto which shall be known as section 18.

Pending the third reading of the bill,

Mr. S. W. Smith moved that the same be laid on the table;

Which motion prevailed.

#### GENERAL ORDER.

On motion of Mr. S. W. Smith,

The Senate went into committee of the whole on the general order.

Mr. Curtiss in the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following:

1. Senate bill No. 362 (File No. 96), entitled

A bill to amend section 4 of act No. 316 of the session laws of 1877, as amended by act No. 323 of the session laws of 1879, being an act entitled "An act to reorganize the union school district of the city of Flint, and to repeal act No. 309 of the session laws of 1867, act No. 375 of the session laws of 1871, and act No. 22 of the session laws of 1872;"

2. Senate bill No. 277 (File No. 97), entitled

A bill to amend section 7 of act No. 44 of the session laws of 1859, being "An act for the benefit of fractional school district No. 1, of Vassar, and No. 2, Tuscola," approved Feb. 3, 1859;

3. Senate bill No. 216 (File No. 80), entitled

A bill to amend sections 1 and 2 of an act entitled "An act to amend an act entitled 'An act to require supervisors, directors, and overseers to make certain annual reports to the county superintendents of the poor,' approved April 23, 1875, and to add one new section thereto," approved May 27, 1879, being sections 1810 and 1811 of Howell's Annotated Statutes of 1882;

4. Senate bill No. 217 (File No. 82), entitled

A bill to provide a uniform system of records and accounts for use of superintendents, overseers, and directors of the poor and keepers of poor-houses;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

The committee of the whole have also had under consideration the following:

5. Senate bill No. 382 (File No. 95), entitled

A bill to amend chapter 106, of the compiled laws of 1871, being chapter 167, of Howell's Annotated Statutes, relative to industrial schools, by adding two new sections thereto to stand as sections 7 and 8;

6. Senate bill No. 337 (File No. 102), entitled

A bill to authorize the Board of State Auditors to allow and audit all just

claims for services rendered by fire companies for aid in extinguishing fires in State property;

7. Senate bill No. 198 (File No. 79), entitled

A bill to amend sections 2, 3, 4, 9, and 14, of chapter 2, and to add a new section to said chapter to stand as section 15; and to amend sections 4 and 6 of chapter 4, and to amend section 4 of chapter 11 of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within this State," approved June 8, 1881;

8. Senate bill No. 215 (File No. 81), entitled

A bill to amend sections 8, 10, and 11 of an act entitled "An act to revise and consolidate the several acts relating to the support and maintenance of poor persons," approved April 5, 1869, being sections 1762, 1764, and 1765 of Howell's Annotated Statutes of 1882;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

J. L. CURTISS, *Chairman.*

Report accepted and committee discharged.

The first four named bills were placed on the order of third reading of bills.

On motion of Mr. Curtiss,

The Senate concurred in the amendments made by the committee to the four last named bills, and the same were placed on the order of third reading of bills.

Mr. Hubbell asked and obtained leave of absence for himself until Tuesday, March 31.

Mr. Shoemaker moved that the Senate do now adjourn;

Which motion did not prevail.

Mr. Sherwood moved that the Senate adjourn until 9 o'clock to-morrow morning.

Which motion prevailed.

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*Lansing, Saturday, March 28, 1885.*

The Senate met and was called to order by the President *pro tem.* at 9 o'clock A. M.

Prayer by the Rev. Mr. Thompson.

Roll called; a quorum present.

#### PETITIONS.

No 367. By Mr. Sherwood: Memorial of the fishermen of St. Joseph, and petition of 37 citizens of Berrien county, relative to the fish interests of Lake Michigan;

Referred to the committee on fisheries.

No. 368. By Mr. Stephenson; Remonstrance of John F. Robert, James

Dunstan, and 38 citizens of Keweenaw county, against the passage of the minority bill;

No. 369. By the same: Remonstrance of B. F. Emerson, E. M. Stanford, and 28 others of Keweenaw county, same object;

The two petitions were referred to the committee on banks and incorporations.

#### MOTIONS AND RESOLUTIONS.

Mr. Manwaring moved that the committee of the whole be discharged from the further consideration of

Senate bill No. 267 (File No. 124), entitled

A bill to incorporate the village of Attica, Lapeer county;

Which motion prevailed.

On motion of Mr. Manwaring,

The bill was placed on the order of third reading.

Mr. Hertzler moved that the following bills be reprinted:

1. House bill No. 147 (File No. 52), entitled

A bill to amend sections 2, 8, and 12 of an act entitled "An act to regulate the catching of fish in certain waters of this State," being act No. 188 of the session laws of 1875, approved May 1, 1875;

2. House bill 226 (File No. 118), entitled

A bill to amend section 3 of an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, designated as section 2165, chapter 63 of the general statutes in force;

3. House bill No. 224 (File No. 136), entitled

A bill to amend an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, being act No. 350, session laws of 1865, by adding two new sections to be designated as sections 12 and 13;

Which motion prevailed.

Mr. Phelps moved to take from the table

House bill No. 330, entitled

A bill to provide for uniform text books for all primary, district, and graded schools of the State of Michigan receiving State patronage, being wholly or in part supported by public moneys or the mill tax, excepting the State Normal School, Agricultural College, and the University of Michigan;

Which motion prevailed.

On motion of Mr. Phelps,

The bill was referred to the committees on State affairs and education and public schools jointly.

Mr. Hueston moved that the committee on public health be discharged from the further consideration of

Senate bill No. 338 (File No. 123), entitled

A bill to amend certain enumerated sections of an act entitled "An act to revise and consolidate the laws of this State providing for the drainage of swamps, marshes, and other low lands, and to repeal the acts of March 22, 1869, and April 13, 1871, known as the county drain law and the township drain law, being act No. 267 of the session laws of 1881," approved June 11, 1881,

And that the same be referred to the joint committee on drainage.

Which motion prevailed.

Whereupon the following report was made:

By the committee on public health :

The committee on public health, to whom was referred

Senate bill No. 338 (File No. 123), entitled

A bill to amend certain enumerated sections of an act entitled "An act to revise and consolidate the laws of this State providing for the drainage of swamps, marshes, and other low lands, and to repeal the acts of March 22, 1869, and April 13, 1871, known as the county drain law and the township drain law, being act No. 267 of the session laws of 1881, approved June 11, 1881,

Respectfully report the same back to the Senate in accordance with instructions.

JAMES HUESTON, *Chairman.*

Report accepted.

And the bill was referred to the select committee on drainage laws.

Mr. Curtiss moved that the committee of the whole be discharged from the further consideration of

House bill No. 257 (File No. 112), entitled

A bill to amend section 1 of an act to establish a police force in the township of Grand Rapids, being act No. 289 of the local acts of 1877,

Which motion prevailed.

On motion of Mr. Curtiss,

The bill was placed on the order of third reading.

#### THIRD READING OF BILLS.

Senate bill No. 362 (File No. 96), entitled

A bill to amend section 4 of act No. 316 of the session laws of 1877, as amended by act No. 323 of the session laws of 1879, being an act entitled "An act to reorganize the union school district of the city of Flint, and to repeal act No. 309 of the session laws of 1867, act No. 375 of the session laws of 1871, and act No. 22 of the session laws of 1872,"

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Edwards,	Kempf,	Smith, G. A.,
Brown,	Francois,	Manwaring,	Smith, S. W.,
Carpenter,	Greiner,	Moon,	Spencer,
Carveth,	Heisterman,	Pennell,	Stephenson,
Cline,	Hertzler,	Phelps,	Woodruff,
Curtiss,			

25

#### NAYS.

0

Title agreed to.

On motion of Mr. Spencer,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 277 (File No. 97), entitled

A bill to amend section 7 of act No. 44 of the session laws of 1859, being "An act for the benefit of fractional school district No. 1, of Vassar, and No. 2, Tuscola," approved Feb. 3, 1859,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows :



## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Davis,	Kempf,	Smith, G. A.,
Brown,	Edwards.	Manwaring,	Smith, S. W.,
Carpenter,	Francis,	Moon,	Spencer,
Carveth,	Greiner,	Pennell,	Stephenson,
Cline,	Heisterman,	Phelps,	Woodruff,
Curtis,	Hertzler,		

26

## NAYS.

0

Title agreed to.

On motion of Mr. Davis,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 216 (File No. 80), entitled

A bill to amend sections 1 and 2 of an act entitled "An act to amend an act entitled 'An act to require supervisors, directors, and overseers to make certain annual reports to the county superintendents of the poor,' approved April 23, 1875, and to add one new section thereto," approved May 27, 1879, being sections 1810 and 1811 of Howell's Annotated Statutes of 1882,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hueston,	Mr. Phelps,
Belknap,	Davis,	Kempf,	Sherwood,
Brown,	Edwards,	Manwaring,	Smith, S. W.,
Carveth,	Francis,	Monroe,	Spencer,
Cline,	Heisterman,	Moon,	Stephenson,
Curtiss,	Hertzler,	Pennell,	Woodruff,

24

## NAYS.

0

Title agreed to.

Senate bill No. 217 (File No. 82), entitled

A bill to provide a uniform system of records and accounts for use of superintendents, overseers, and directors of the poor and keepers of poorhouses,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Curtiss,	Mr. Heisterman,	Mr. Phelps,
Belknap,	Davenport,	Hueston,	Sherwood,
Brown,	Davis,	Kempf,	Smith, G. A.,
Carpenter,	Edwards,	Manwaring,	Spencer,
Carveth,	Francis,	Monroe,	Stephenson
Cline,	Greiner,	Moon,	Woodruff,

24

## NAYS.

0

Title agreed to.

Senate bill No. 215 (File No. 81), entitled

A bill to amend sections 8, 10, and 11, of an act entitled "An act to revise and consolidate the several acts relating to the support and maintenance of poor persons," approved April 5, 1869, being sections 1763, 1764, and 1765 of Howell's Annotated Statutes of 1882,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hueston,	Mr. Phelps,
Belknap,	Davis,	Kempf,	Sherwood,
Brown,	Edwards,	Manwaring,	Smith, G. A.,
Carpenter,	Francis,	Monroe,	Spencer,
Carveth,	Greiner,	Moon,	Stephenson,
Cline,	Heisterman,	Pennell,	Woodruff,
Curtiss,			

25

## NAYS.

0

Title agreed to.

Senate bill No. 198 (File No. 79), entitled

A bill to amend sections 2, 3, 4, 9, and 14, of chapter 2, and to add a new section to said chapter to stand as section 15; and to amend sections 4 and 6 of chapter 4, and to amend section 4 of chapter 11 of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within this State, approved June 8, 1881;

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hueston,	Mr. Pulver,
Belknap,	Davis,	Kempf,	Sherwood,
Brown,	Francis,	Manwaring,	Smith, G. A.,
Carpenter,	Greiner,	Monroe,	Smith, S. W.,
Carveth,	Heisterman,	Moon,	Spencer,
Cline,	Hertzler,	Pennell,	Stephenson,
Curtiss,			

25

## NAYS.

Mr. Edwards,	Mr. Woodruff,	
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2

Title agreed to.

Senate bill No. 337 (File No. 102), entitled

A bill to authorize the Board of State Auditors to allow and audit all just claims for services rendered by fire companies for aid in extinguishing fires in State property,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Kempf,	Mr. Sherwood,
Brown,	Francis,	Manwaring,	Shoemaker,
Carpenter,	Greiner,	Monroe,	Smith, G. A.,
Carveth,	Heisterman,	Moon,	Smith, S. W.,
Cline,	Hertzler,	Pennell,	Spencer,
Davenport,	Hueston,	Pulver,	Stephenson,
Davis,			

25

## NAYS.

Mr. Belknap,      Mr. Curtiss,      Mr. Woodruff,      3

Title agreed to.

On motion of Mr. S. W. Smith,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 382 (File No. 95), entitled

A bill to amend chapter 106 of the compiled laws of 1881, being chapter 167 of Howell's Annotated Statutes, relative to industrial schools, by adding two new sections thereto, to stand as sections 7 and 8,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Manwaring,	M. Shoemaker,
Brown,	Francis,	Monroe,	Smith, G. A.,
Carpenter,	Greiner,	Moon,	Smith, S. W.,
Carveth,	Heisterman,	Pennell,	Spencer,
Cline,	Hertzler,	Phelps,	Stephenson,
Curtiss,	Hueston,	Pulver,	Woodruff,
Davenport,	Kempf,	Sherwood,	President
Davis,			<i>pro tem.</i> , 29

## NAYS.

0

Title agreed to.

Senate bill No. 267 (File No. 124), entitled

A bill to incorporate to village of Attica, Lapeer county,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Monroe,	Mr. Smith, G. A.,
Brown,	Francis,	Moon,	Smith, S. W.,
Carpenter,	Greiner,	Pennell,	Spencer,
Carveth,	Heisterman,	Phelps,	Stephenson,
Cline,	Hertzler,	Pulver,	Woodruff,
Curtiss,	Hueston,	Sherwood,	President
Davenport,	Kempf,	Shoemaker,	<i>pro tem.</i> , 29
Davis,	Manwaring,		

## NAYS.

0

Title agreed to.

On motion of Mr. Manwaring,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

House bill No. 257 (File No. 112), entitled

A bill to amend section 1 of an act to establish a police force in the township of Grand Rapids, being act No. 289 of the local acts of 1877,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Monroe,	Mr. Smith, G. A.,
Brown,	Francis,	Pennell,	Smith, S. W.,
Carveth,	Greiner,	Phelps,	Spencer,

Mr. Cline,	Mr. Heisterman,	Mr. Pulver,	Mr. Stephenson,
Curtiss,	Hertzler,	Sherwood,	President
Davenport,	Hueston,	Shoemaker,	<i>pro tem.</i> 25
Davis,	Manwaring,		

NAYS.

Mr. Woodruff, 1  
 Title agreed to.  
 On motion of Mr. Curtiss,  
 By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

## GENERAL ORDER.

On motion of Mr. Manwaring,

The Senate went into committee of the whole on the general order,  
 Mr. Carpenter in the chair.

After some time spent therein, the committee rose, and, through their chairman made the following report:

The committee of the whole have had under consideration the following:

1. House bill No. 81 (File No. 30), entitled

A bill to amend section 4499 of the compiled laws of 1871, being section 5967 of Howell's Annotated Statutes;

2. House bill No. 200 (File No. 99), entitled

A bill to amend compiler's section 6217 of the compiled laws of 1871, relative to service of process in the action of ejectment, being section 7501 of Howell's Annotated Statutes of Michigan;

3. House joint resolution No. 9 (File No. 6), entitled

Joint resolution authorizing the Governor and military board to allow the Soldiers and Sailors' Association of Central Michigan the use of tents and apparatus belonging to the State;

4. House bill No. 300 (File No. 121), entitled

A bill to amend sections 1 and 2 of title 9 of an act entitled "An act to revise the charter of the city of Grand Rapids," being amendatory of an act entitled "An act to incorporate the city of Grand Rapids," approved April 2, 1850, as amended by the several acts amendatory thereof, approved March 29, 1877, as amended by act No. 379, of the session laws 1879, approved May 23, 1879, as amended by act No. 365, of the session laws of 1881, approved April 29, 1881;

5. House bill No. 225 (File No. 114), entitled

A bill to repeal sections 4 and 7 of an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, designated as sections 2166 and 2169 of chapter 63, of the general statutes in force;

6. House bill No. 219 (File No. 157), entitled

A bill to change the name of Mabel E. Wilber to Mabel E. Cook;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate and recommend their passage.

The committee of the whole have also had under consideration the following:

7. House bill No. 89 (File No. 88), entitled

A bill to amend an act entitled "An act to reincorporate the village of Benton Harbor;

8. Senate bill No. 213 (File No. 106), entitled

A bill to reincorporate the village of Marine City in St. Clair county;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following:

9. Senate bill No. 93 (File No. 66), entitled

A bill to amend sections 2, 3 (as amended by act No. 22 of the session laws of 1883), and 5 of act No. 127, of the session laws of 1879, entitled "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to repeal act No. 181 of the session laws of 1875, approved May 1, 1875, and act No. 196 of the session laws of 1877, approved May 22, 1877," being sections 1538, 1539, and 1541 of Howell's Annotated Statutes of Michigan;

10. Senate bill No. 102 (File No. 105), entitled

A bill to prevent crime and punish truancy;

Have directed their chairman to report the same back to the Senate with the recommendation that they do lie upon the table.

The committee of the whole have also had under consideration the following:

11. House bill No. 100 (File No. 50), entitled

A bill to establish a State Board of Fish Commissioners, and to repeal act No. 124, session laws of 1873, act No. 71, session laws of 1875, and act No. 3, session laws of 1882,

Have directed their chairman to report the same back to the Senate, with the recommendation that it be referred back to the committee on fisheries.

The committee of the whole have also had under consideration the following:

12. House bill No. 75, (file No. 31), entitled

A bill to amend section 4574 of Compiled Laws of 1871, being section 6027 of Howell's Annotated Statutes;

Have stricken out all after the enacting clause thereof, and ask the concurrence of the Senate in their action.

MANSON CARPENTER, *Chairman.*

Report accepted.

The first six named bills were placed on the order of third reading of bills.

On motion of Mr. Carpenter,

The Senate concurred in the amendments made by the committee to the two second named bills and the same were placed on the order of third reading of bills.

On motion of Mr. Carpenter,

The Senate concurred in the action of the committee of the whole regarding the two third named bills, and the same were laid on the table.

On motion of Mr. Carpenter,

The Senate concurred in the action of the committee of the whole regarding the fourth named bill, and the same was referred to the committee on fisheries.

On motion of Mr. Carpenter,

The Senate concurred in the action of the committee regarding the last named bill, and all after the enacting clause was stricken out.

On motion of Mr. Carpenter,

The title and enacting clause were laid on the table.

Mr. Brown moved to take a recess until 2 o'clock P. M.

Mr. S. W. Smith moved to amend by making the hour 1:30 o'clock P. M.  
Mr. S. W. Smith called for the yeas and nays.

The motion then did not prevail, by yeas and nays as follows:

## YEAS.

Mr. Carpenter,	Mr. Moon,	Mr. Smith, G. A.,	Mr. Spencer,
Oline,	Phelps,	Smith, S. W.,	President
Curtiss,			<i>pro tem.</i> 9

## NAYS.

Mr. Brown,	Mr. Edwards,	Mr. Hueston,	Mr. Sherwood,
Carveth,	Francis,	Manwaring,	Shoemaker,
Davenport,	Greiner,	Monroe,	Stephenson,
Davis,	Heisterman,	Pennell,	Woodruff, 16

The question being on the motion to take a recess until 2 o'clock,  
The same prevailed.

## AFTERNOON SESSION.

2 o'clock P. M.

The Senate met and was called to order by the President *pro tem.*  
Roll called: a quorum present.

## PETITIONS.

No. 370. By Mr. Manwaring: Petition of Fred B. Barbour, and 68 others of Clifford, Lapeer county, for the passage of the Pharmacy bill.  
Referred to the committee on public health.

## REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:  
The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:  
Senate bill No. 152 (File No. 54), entitled  
A bill to re-incorporate the village of Roscommon, Roscommon county;  
Also  
Senate bill No. 146 (File No. 138), entitled  
A bill to incorporate the village of Frankfort, Benzie Co., Mich.  
J. W. BELKNAP, *Chairman.*  
Report accepted.

## MESSAGES FROM THE HOUSE.

The President *pro tem.* announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 28, 1885. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following bill:

House bill No. 392 (File No. 202), entitled

A bill to amend sections 7, 8, 11, 12, 14, 26, 29, 30, 42, 43, 56, 57, 59, 60, 149, 150, 151, 153, 154, and 159 of act No. 289 of the session laws of 1875, entitled "An act to revise and amend the charter of the city of Muskegon, being amendatory of an act entitled 'An act to revise and amend an act

entitled an act to incorporate the city of Muskegon, approved March 29, 1871," approved April 1, 1875, as amended by act No. 327 of the session laws of 1883, approved June 8, 1883;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on cities and villages.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 28, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 465, entitled

A bill to amend section No. 8 of act No. 251, Session Laws of 1877, entitled "An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 13, 15, 16, 17, 18, 19, 20, 25, 26, 27, 30, 31, 32, and 36 of an act entitled 'An act to incorporate the village of Leslie', approved March 30, 1869, as amended by Act No. 258 of the session laws of 1873, approved April 18, 1873, approved March 14, 1877;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on cities and villages.

### THIRD READING OF BILLS.

House bill No. 81 (File No. 30), entitled

A bill to amend section 4499 of the compiled laws of 1871, being section 5967 of Howell's Annotated Statutes, relative to the partition and distribution of estates,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Monroe,	Mr. Smith, G. A.,
Brown,	Edwards,	Moon,	Smith, S. W.,
Carpenter,	Francis,	Phelps,	Spencer,
Carveth,	Heisterman,	Pulver,	Stephenson,
Cline,	Hueston,	Sherwood,	Woodruff,
Curtiss,	Manwaring,	Shoemaker,	President
Davenport,			<i>pro tem.</i> 25

#### NAYS.

0

Title agreed to.

House bill No. 200 (File No. 99,) entitled

A bill to amend compiler's section 6217 of the compiled laws of 1871, relative to service of process in the action of ejectment, being section 7801 of Howell's Annotated Statutes of Michigan,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Monroe,	Mr. Smith, G. A.,
Brown,	Edwards,	Moon,	Smith, S. W.,
Carpenter,	Francis,	Phelps,	Stephenson,
Carveth,	Heisterman,	Pulver,	Woodruff,
Curtiss,	Hueston,	Sherwood,	President,
Davenport,	Manwaring,	Shoemaker,	<i>pro tem.</i> 23

## NAYS.

0

Title agreed to.

House joint resolution No. 9 (File No. 6), entitled

Joint resolution authorizing the Governor and military board to allow the Soldiers and Sailors' Association of Central Michigan the use of tents and apparatus belonging to the State,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent, Mr. Sherwood moved to amend the joint resolution as follows:

By striking out from the joint resolution the following: "But it shall not be lawful to grant the use of any of the State property to any civil organization;"

Which motion did not prevail.

By unanimous consent, Mr. Carveth moved to further amend the joint resolution as follows:

By inserting in line 4 of the joint resolution after the word "their" the words "reunions and;"

Which motion prevailed and the joint resolution was so amended.

The joint resolution was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Monroe,	Mr. Smith, G. A.,
Brown,	Edwards,	Moon,	Smith, S. W.,
Carpenter,	Francis,	Phelps,	Spencer,
Carveth,	Heisterman,	Pulver,	Stephenson,
Cline,	Hueston,	Sherwood,	Woodruff,
Davenport,	Manwaring,	Shoemaker,	President
			<i>pro tem.</i> , 24

## NAYS.

Mr. Curtiss,

1

The question being on agreeing to the title,

Mr. Shoemaker moved to amend the title as follows:

Joint resolution authorizing the Governor and military board to allow the Soldiers and Sailors' Association of central Michigan, the Grand Army of the Republic, and other organizations of the soldiers in the late war, the use of tents and apparatus belonging to the State;

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Shoemaker,

By a vote of two-thirds of all the Senators elect, the joint resolution was ordered to take immediate effect.



House bill No. 300 (File No. 121), entitled

A bill to amend sections 1 and 2 of title 9 of an act entitled "An act to revise the charter of the city of Grand Rapids," being amendatory of an act entitled "An act to incorporate the city of Grand Rapids," approved April 2, 1850, as amended by the several acts amendatory thereof, approved March 29, 1877, as amended by act No. 379 of the session laws of 1879, approved May 23, 1879, as amended by act No. 365 of the session laws of 1881, approved April 29, 1881,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Manwaring,	Mr. Smith, G. A.,
Brown,	Davis,	Monroe,	Smith, S. W.,
Carpenter,	Edwards,	Moon,	Spencer,
Carveth,	Francis,	Phelps,	Stephenson,
Cline,	Heisterman,	Sherwood,	President
Curtiss,	Hueston,	Shoemaker,	<i>pro tem.</i> , 23

## NAYS.

Mr. Woodruff, 1

Title agreed to.

On motion of Mr Curtiss,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

House bill No. 225 (file No. 114), entitled

A bill to repeal sections 4 and 7 of an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 28, 1875, designated as sections 2166 and 2169, chapter 63, of the general statutes in force,

Was read a third time, and the question being upon its passage, pending the taking of the vote thereon,

On motion of Mr. Hueston,

The bill was laid on the table.

House bill No 219 (File No. 157),, entitled

A bill to change the name of Mabel E. Wilber to Mabel E. Cook.

Was read a third time and passed, two-thirds of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Monroe,	Mr. Smith, G. A.,
Brown,	Edwards,	Moon,	Smith, S. W.,
Carpenter,	Francis,	Phelps,	Spencer,
Carveth,	Heisterman,	Pulver,	Stephenson,
Curtiss,	Hueston,	Sherwood,	President
Davenport,	Manwaring,	Shoemaker,	<i>pro tem.</i> , 23

## NAYS.

0

Title agreed to.

On motion of Mr. Manwaring,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

House bill No. 89 (File No. 88), entitled

A bill to amend an act entitled "An act to re-incorporate the village of Benton Harbor,"

Was read a third time and passed, a majority of all the Senators elect voting herefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Manwaring,	Mr. Shoemaker,
Brown,	Davis,	Monroe,	Smith, G. A.,
Carpenter,	Edwards,	Moon,	Smith, S. W.,
Carveth,	Francis,	Phelps,	Spencer,
Cline,	Heisterman,	Pulver,	Stephenson,
Curtiss,	Hueston,	Sherwood,	President,
			<i>pro tem.</i> 24

## NAYS.

0

Title agreed to.

On motion of Mr. Hueston.

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 213 (File No. 106) entitled

A bill to reincorporate the village of Marine City, in St. Clair county,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Manwaring,	Mr. Shoemaker,
Brown,	Davis,	Monroe,	Smith, G. A.,
Carpenter,	Edwards,	Moon,	Smith, S. W.,
Carveth,	Francis,	Phelps,	Spencer,
Cline,	Heisterman,	Pulver,	Stephenson,
Curtiss,	Hueston,	Sherwood,	President
			<i>pro tem.</i> , 24

## NAYS.

0

Title agreed to.

On motion of Mr. Cline,

By a vote two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Manwaring asked and obtained leave of absence for himself until Tuesday, March 31.

Mr. Cline asked and obtained leave of absence for himself until Tuesday, March 31.

## GENERAL ORDER.

On motion of Mr. Monroe,

The Senate went into committee of the whole on the general order,

Mr. Pulver in the chair.

After some time spent therein, the committee rose, and, through their chairman, made the following report:

The committee of the whole have had under consideration the following:

1. Senate joint resolution No. 19 (File No. 13), entitled  
Joint resolution relating to the semi-centennial celebration of the admission of the State of Michigan into the Union;

2. Senate joint resolution No. 18 (File No. 14), entitled  
Joint resolution to provide for alphabetically indexing the names of all soldiers from this State in the late war, found upon the records of the Adjutant General's office,

3. Senate bill No. 143 (File No. 115), entitled

A bill to provide for continuance of actions in justices' courts in case of vacancy in the office, or sickness, absence, or other inability of the justice before whom the same shall have been commenced, to perform the duties of his office;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

The committee of the whole have also had under consideration the following:

4. Senate bill No. 188 (File No. 108), entitled

A bill to amend section 703 of the compiled laws of 1871, as amended by act No. 53 of the session laws of 1873, being section 741 of Howell's Annotated Statutes, relative to the duties of township clerks;

5. Senate bill No. 221 (File No. 114), entitled

A bill to provide for heating, finishing, and furnishing of the asylum for insane criminals;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

H. H. PULVER, *Chairman.*

Report accepted and committee discharged.

The first two joint resolutions and bill were placed on the order of third reading of bills.

On motion of Mr. Pulver,

The Senate concurred in the amendments made by the committee to the two last named bills, and the same were placed on the order of third reading of bills.

By unanimous consent the Senate returned to the order of

MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 28, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to re-transmit the following bill:

House bill No. 670 (File No. 146), entitled

A bill to amend sundry sections of an act entitled "An act to revise an act to incorporate the city of Bay City," approved March 21, 1865, as amended and revised by the several acts amendatory and revisionary thereof, and to add a new section thereto to stand as section 101 of said act,

Which the Senate amended as shown by message of 27th inst. as follows:

1. By striking out of line 12, section 10 the word "of" where it first occurs, and inserting the word "or" in lieu thereof;
  2. By inserting in line 2, section 78, after the word "council," the words, "on the nomination of the mayor;"
  3. By striking out of section 101 all after the word "board," in line 5;
- Now to inform the Senate that in said amendments the House has non-concurred.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

On motion of Mr. Francis,  
The bill was laid on the table.  
On motion of Mr. Sherwood,  
The Senate adjourned.

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*Lansing, Monday, March 30, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.  
Roll called: a quorum present.

Absent without leave: Senators Belknap, Greiner, Kempf, Shoemaker, and Spencer.

Mr. Austin asked and obtained leave of absence for all absentees for the day.

#### PRESENTATION OF PETITIONS.

No. 371. By Mr. Monroe: Petition of H. P. Smith, E. P. Duffield, and 58 others, of Michigan, in favor of the pharmacy bill;

No. 372. By Mr. Moon: Petition of T. G. Lane, J. W. O'Brien, C. A. Masman, and 57 others, for the same object;

The two petitions were referred to the committee on public health.

No. 373. By Mr. Pulver: Remonstrance of W. H. Andrus and 118 others, citizens of Shiawassee county, against the passage of a bill detaching territory from Shiawassee county and attaching the same to Olinton county;

Referred to the committee on counties and townships.

No. 374. By Mr. Hertzler: Remonstrance of I. R. Grosvener, C. Hobart, and 40 others, against the passage of the minority bill;

No. 375. By the same: Remonstrance of Samuel Mulholland, William Wells, and 50 others, same object;

No. 376. By the same: Remonstrance of Lewis Darrah, H. T. Cole, and 30 others, same object;

No. 377. By the same: Remonstrance of Constant Luce, J. E. Landou, and 25 others, same object;

The four petitions were referred to the committee on banks and incorporations.

No. 378. By Mr. Stephenson: Resolutions of the Board of Supervisors of Marquette county, against the creation of the proposed county of "Iron;"

On motion of Mr. Stephenson,

The resolutions were ordered printed in the Journal, and referred to the committee on counties and townships.

At a meeting of the Board of Supervisors of Marquette county, held at the court-house in the city of Marquette, in said county, on the 26th day of March, A. D. 1885, Supervisor Pascoe offered the following resolution, which was unanimously adopted by yeas and nays:

WHEREAS, A movement among certain citizens of the county of Marquette, united with citizens of the county of Menominee, has been inaugurated for the

purpose of parceling the county of Marquette by the erection of a new county, to be called the county of Iron; and

WHEREAS, Several bills have been introduced at the present session of the Legislature for the accomplishment of the scheme mentioned, which bills are supported by some of the citizens of that portion of the territory of this county proposed to be so set off, and opposed by the largest owners of real estate in such territory; and

WHEREAS, Upon the motion recently made before this board asking the support of this body for such scheme, such motion was laid upon the table by nearly a unanimous vote for the reason that it was opposed to the best interests of the people at large of said county. Now therefore, in view of possible action by the Legislature favorable to said scheme, be it

*Resolved*, That the division of this county at the present time as proposed in the several bills alluded to would be prejudicial to the general welfare of the people of this county, including those who live and own property in the territory to be set off. That it is opposed to economy, and is especially obnoxious at this particular time when values are so shaken and public burdens the more severely felt. And that it is the sense of this board that the measure for the purpose indicated should be abandoned at least for the present; and that the clerk of this board be instructed to forward to the members of the Legislature representing this district, a certified copy of this resolution as our protest against such proposed action, and that they be requested to use their best endeavors against the adoption of any such measure.

STATE OF MICHIGAN, }  
County of Marquette, } ss.

I, Gad Smith, Clerk of the county of Marquette, do hereby certify that the foregoing is a correct transcript, compared by me, from the original record of a resolution passed by the Board of Supervisors of said county, at its meeting, March 26, 1885, now remaining in my office, and of record in said court, and of the whole of such original.

In testimony whereof, I have hereunto subscribed my name, and affixed the seal of said circuit court, at the city of Marquette, in said county,  
[L.S.] this 27th day of March, eighteen hundred and eighty-five.

GAD SMITH, *Clerk*.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 28, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 286, entitled

A bill to organize the county of Iron and the townships of Bates and Mastodon in said county of Iron,

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on counties and townships.

## MOTIONS AND RESOLUTIONS.

Mr. Sherwood moved that the committee of the whole be discharged from the further consideration of

House bill No. 465, entitled

A bill to amend section No. 8 of act No. 251, Session Laws of 1877, entitled "An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 13, 15, 16, 17, 18, 19, 20, 25, 26, 27, 30, 31, 32, and 36 of an act entitled 'An act to incorporate the village of Leslie', approved March 30, 1869, as amended by act No. 258 of the session laws of 1873, approved April 18, 1873, approved March 14, 1873;

Which motion prevailed.

Whereupon the committee on cities and villages made the following report:

By the committee on cities and villages:

The committee on cities and villages to whom was referred

House bill No. 465, entitled

A bill to amend section No. 8 of act No. 251, Session Laws of 1877, entitled "An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 13, 15, 16, 17, 18, 19, 20, 25, 26, 27, 30, 31, 32, and 36 of an act entitled 'An act to incorporate the village of Leslie', approved March 30, 1869, as amended by act No. 258 of the Session Laws of 1873, approved April 18, 1873, approved March 14, 1877,

Respectfully report the same back to the Senate in accordance with instructions.

WM. H. FRANCIS, *Chairman.*

Report accepted.

On motion of Mr. Sherwood,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Monroe,	Mr. Sherwood,
Brown,	Francis,	Moon,	Smith, G. A.,
Carpenter,	Hawley,	Pennell,	Smith, S. W.,
Carveth,	Heisterman,	Phelps,	Stephenson,
Curtiss,	Hertzler,	Pulver,	Woodruff,
Davis,	Hueston,		

22

## NAYS.

0

Title agreed to.

On motion of Mr. Pennell,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Phelps moved that the committee of the whole be discharged from the further consideration of

Senate bill No. 308 (File No. 156), entitled

A bill to provide for the publication of useful information derived from experiments made in the different departments at the Agricultural College;

Which motion prevailed.

On motion of Mr. Phelps,

The bill was placed on the order of third reading.

Mr. Francis moved to take from the table

House bill No. 670 (File No. 146), entitled

A bill to amend sections 8, 10, 17, 32, 34, 50, 52, 58, 62, 66, 68, 78, 92, 94, and 103 of an act entitled "An act to revise an act to incorporate the City of Bay City," approved March 21, 1865, as amended and revised by the several acts amendatory and revisionary thereof, and to add a new section thereto to stand as section 191 of said act;

Which motion prevailed.

Mr. Francis moved that the Senate insist on its amendments made to the bill;

Which motion prevailed.

Mr. Austin offered the following resolution:

*Resolved* (the House concurring), That when the Legislature adjourns on Thursday, April 2, it shall stand adjourned until Wednesday, April 8;

Which was adopted.

Mr. Carveth moved to reconsider the vote by which the Senate concurred in the action of the committee of the whole in striking out all after the enacting clause of

House bill 75 (File No. 31), entitled

A bill to amend section 4574, Compiled Laws of 1871, being section 6027 of Howell's Annotated Statutes, relative to sale of lands for the payment of debts by executors, administrators, and guardians;

Which motion prevailed.

The question being on concurring in the action of the committee of the whole,

On motion of Mr. Carveth,

The bill was laid on the table,

#### THIRD READING OF BILLS.

Senate joint resolution No. 19 (File No. 13), entitled

Joint resolution relating to the semi-centennial celebration of the admission of the State of Michigan into the Union,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent, Mr. Pulver moved to amend the bill as follows: By adding the following to the joint resolution: Provided no part of said sum shall be paid as a salary to said commissioners, or as expenses for speakers;

Pending which,

On motion of Mr. Austin,

The joint resolution was laid on the table.

Senate joint resolution No. 18 (File No. 14), entitled

Joint resolution to provide for alphabetically indexing the names of all soldiers from this State in the late war, found upon the records of the Adjutant General's office.

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Monroe,	Mr. Sherwood,
Brown,	Francis,	Moon,	Smith, G. A.,
Carpenter,	Hawley,	Pennell,	Smith, S. W.,
Carveth,	Heisterman,	Phelps,	Stephenson,
Curtiss,	Hertzler,	Pulver,	Woodruff,
Davis,	Hueston,		

#### NAYS.

Title and preamble agreed to.

On motion of Mr. Edwards,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 143 (File No. 115), entitled

A bill to provide for continuance of actions in justices' courts in case of vacancy in the office, or sickness, absence, or other inability of the justice before whom the same shall have been commenced, to perform the duties of his office,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Monroe,	Mr. Sherwood,
Brown,	Francis,	Moon,	Smith, G. A.,
Carpenter,	Hawley,	Pennell,	Smith, S. W.,
Carveth,	Heisterman,	Phelps,	Stephenson,
Curtiss,	Hertzler,	Pulver,	Woodruff,
Davis,	Hueston,		

22  
0

NAYS.

Title agreed to.

Senate bill No. 188 (File No. 108), entitled

A bill to amend section 703 of the compiled laws of 1871, as amended by act No. 53 of the session laws of 1873, being section 741 of Howell's Annotated Statutes, relative to the duties of township clerks,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Monroe,	Mr. Sherwood,
Brown,	Francis,	Moon,	Smith, G. A.,
Carpenter,	Hawley,	Pennell,	Smith, S. W.,
Carveth,	Heisterman,	Phelps,	Stephenson,
Curtiss,	Hertzler,	Pulver,	Woodruff,
Davis,	Hueston,		

22  
0

NAYS.

Title agreed to.

On motion of Mr. Francis,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 221 (File No. 114), entitled

A bill to provide for heating, finishing, and furnishing of the asylum for insane criminals,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Pulver,
Brown,	Edwards,	Monroe,	Sherwood,
Carpenter,	Francis,	Moon,	Smith, G. A.,
Carveth,	Hawley,	Pennell,	Smith, S. W.,
Curtiss,	Hertzler,	Phelps,	Stephenson, 20

NAYS.

Mr. Heisterman,  
Title agreed to.

1



Senate bill No. 308 (File No. 156), entitled

A bill to provide for the publication of useful information derived from experiments made in the different departments at the Agricultural College,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent, Mr. Pulver moved to amend the bill as follows:

By adding to the end of section 3 the following proviso:

*Provided*, That no account for printing the same in any newspaper shall be allowed,

Which motion prevailed and the bill was so amended.

By unanimous consent, Mr. Austin moved to amend the bill as follows:

By inserting in section 1, line 3, after "State" the words "through the medium of the public press;"

Which motion prevailed and the bill was so amended.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Monroe,	Mr. Smith, G. A.
Brown,	Francis,	Moon,	Smith, S. W.,
Carpenter,	Hawley,	Pennell,	Spencer,
Carveth,	Heisterman,	Phelps,	Stephenson,
Curtiss,	Hertzler,	Pulver,	Woodruff,
Davis,	Hueston,	Sherwood,	23

#### NAYS.

0

Title agreed to.

On motion of Mr. Phelps,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

#### GENERAL ORDER.

On motion of Mr. Hertzler,

The Senate went into committee of the whole on the general order.

Mr. Francis in the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following:

House bill No. 105 (File No. 74), entitled

A bill making an appropriation for the support of the State Agricultural College, for the erection and repair of buildings, and other improvements at the said college,

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

W. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

The bill was placed on the order of third reading of bills.

By unanimous consent,

The Senate returned to the order of

## MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, {  
Lansing, March 30, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to re-transmit the following bill:

House bill No. 670 (File No. 146), entitled

A bill to amend sections 8, 10, 17, 32, 34, 50, 52, 58, 62, 66, 68, 78, 81, 84, 92, 94, and 103, of an act entitled "An act to revise an act to incorporate the city of Bay City," approved March 21, 1865, as amended and revised by the several acts amendatory and revisionary thereof, and to add a new section thereto to stand as section 101 of said act;

And to inform the House that the Senate has amended the same as follows:

1. By striking out of line 12, section 10, the word "of" where it first occurs, and inserting the word "or" in lieu thereof;

2. By inserting in line 2, section 78, after the word "council" the words "on the nomination of the mayor;"

3. By striking out of section 101 all after the word "board" in line 5;

And in which amendments the House non-concurred, as shown by message of 28th inst, and in which amendments the Senate did insist, as shown by a message of this date.

Now to inform the Senate that the House asks a committee of conference as to the disagreement, consisting of three members from each house.

And farther that Messrs. Black, Markey and Oviatt have been appointed as such committee on the part of the House.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

On motion of Mr. Davis,

The Senate concurred in the request of the House, and

The President appointed Senators Anstin, Davis and Curtiss as members of said committee of conference.

On motion of Mr. Francis,

The Senate adjourned.

*Lansing, Tuesday, March 31, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.

Prayer by the Rev. Mr. Franklin.

Roll called: a quorum present.

Absent without leave: Senators Greiner, Hubbell, and Kempf.

Mr. Stephenson asked and obtained leave of absence for Mr. Hubbell for the day.

Mr. Hertzler asked and obtained leave of absence for Mr. Greiner for the day.  
Mr. S. W. Smith asked and obtained leave of absence for Mr. Kempf for the day.

#### ANNOUNCEMENT.

At his own request Senator S. W. Smith was excused from serving upon the joint select committee on drainage, and Senator Edwards appointed to fill said vacancy.

On motion of Senator Belknap,

The Senate took a recess until 7:30 o'clock P. M.

#### EVENING SESSION.

*7:30 o'clock P. M.*

The Senate met and was called to order by the President.

Roll called: a quorum present.

#### PETITIONS.

No. 379. By Mr. Hertzler: Remonstrance of B. W. Hendricks, A. J. Wilkerson, and 20 others, of Monroe county, against the passage of the minority bill. Referred to the committee on banks and incorporations.

No. 380. By Mr. Manwaring: Petition of C. C. Galbraith, and 58 others, citizens of North Branch, Lapeer county, for the passage of the pharmacy bill.

No. 381. By Mr. Sherwood: Petition of Curran and Barnes and 59 other citizens of St. Joseph and Berrien counties, same object.

No. 382. By Mr. G. A. Smith: Petition of Mr. C. A. Chandler and 37 others, same object.

No. 383. By Mr. Cline: Petition of R. G. Burrell and 31 others, same object.

No. 384. By Mr. Belknap: Petition of S. E. Morgan and 48 others of Howard City, same object.

The four petitions were referred to the committee on public health.

No. 385. By Mr. Shoemaker: Petition of John C. Sharpe and 33 others of Jackson county, asking that moneys received from dog tax be made a county fund for the payment for sheep killed;

Referred to committee on agricultural interests.

No. 386. By Mr. Belknap: Petition of Mrs. S. A. Clapp and 680 others of St. Joseph county, in favor of municipal suffrage for women.

No. 387. By the same: Petition of Mrs. E. J. Enelle and 22 others of Pontiac, same object:

The two petitions were referred to the committee on the judiciary.

No. 388. By Mr. Curtiss: Petition of Sidney C. Bradfield and 32 others of Lowell, in favor of the amendments to the charter of said village;

Referred to the committee on cities and villages.

No. 389. By Mr. Belknap: Eleven petitions in favor of municipal suffrage for women, as follows:

Petition of Mrs. H. Wilson, and the officers of the Ionia W. C. T. U., in favor of municipal suffrage for women;

Petition of Mrs. G. H. Morley, and the officers of the Grand Rapids W. C. T. U., for the same purpose;

Petition of Mrs. Julia Dexter Stannard, and the officers of the Dexter W. C. T. U., for the same;

Petition of Mrs. J. J. Curtiss, and the officers of the Charlotte W. C. T. U., for the same;

Petition of Mrs. W. W. Rook, and officers of the Grand Haven W. C. T. U., for the same purpose;

Petition of Miss Sarah Jennings, and the officers of the Lowell W. C. T. U., for the same purpose;

Petition of Mrs. F. N. Wright, and the officers of the Greenville W. C. T. U., in favor of municipal suffrage for women;

Petition of Marion B. Baxter, and the officers of the central W. C. T. U., of Charlotte, for the same purpose;

Referred to the committee on the judiciary.

#### REPORTS OF STANDING COMMITTEES.

By the committee on supplies and miscellaneous expenses of the Senate:

The committee on supplies and miscellaneous expenses of the Senate, report the following bills:

State of Michigan in account with the Michigan Congress Water

Co., for water 17 days at \$1 per day..... \$17 00

Furnished under direction of Sergeant-at-Arms of the Senate, which they have had under consideration, and directed me to report the same to the Senate, and recommend the allowance, and ask to be discharged from the further consideration of the subject.

HENRY WOODRUFF, *Chairman.*

On motion of Mr. Woodruff,

The bill was allowed.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

Senate bill No. 194 (File No. 112), entitled

A bill to amend sections 3, 5, 6, 8, and 13 of chapter 4, section 2 of chapter 5, section 4 of chapter 6, section 1 of chapter 9, sections 11 and 22 of chapter 17; section 2 of chapter 20, section 7 of chapter 22, section 1 of chapter 23, and section 9 of chapter 27, of an act entitled "An act to incorporate the city of Kalamazoo, and to repeal an act entitled "An act to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts," approved March 15, 1861, as amended by the several acts amendatory thereof, and to add four new sections thereto to be known as section 5 of chapter 6, section 6 of chapter 8, and sections 29 and 30 of chapter 17,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Davis,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 392 (File No. 202), entitled

A bill to amend sundry sections of act No. 298 of the session laws of 1875, entitled "An act to revise and amend the charter of the city of Muskegon," being amendatory of an act entitled "An act to revise and amend an act entitled an act to incorporate the city of Muskegon," approved March 29, 1871, approved April 1, 1875, as amended by act No. 327 of the session laws of 1883, approved June 8, 1883;

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Davis,

The Senate concurred in the amendments made to the bill by the committee.

On motion of Mr. Moon,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Belknap,	Mr. Davis,	Mr. Manwaring,	Mr. Pulver,	
Brown,	Edwards,	Monroe,	Sherwood,	
Carpenter,	Hawley,	Moon,	Smith, G. A.,	
Cline,	Heisterman,	Pennell,	Smith, S. W.,	
Curtiss,	Henry,	Phelps,	Woodruff,	22
Davenport,	Hertzler,			

NAYS.

0

Title agreed to.

On motion of Mr. Moon,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 31, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following concurrent resolution:

*Resolved* (the House concurring), That when the Legislature adjourns on Thursday, April 2, it stand adjourned until Wednesday, April 8;

And to inform the Senate that the House has amended the same so as to read as follows:

*Resolved* (the House concurring), That when the Legislature adjourn Friday, April 3, it stand adjourned until Wednesday, April 8, at 2 o P. M.;

In the passage of which, as thus amended, the House has concurred.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The question being on concurring in the action of the House in amending the concurrent resolution,

The Senate non-concurred.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 31, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 27 (File No. 109), entitled

A bill making an appropriation for the support of the State Public School, and for making improvements at that institution;

2. House bill No. 369 (File No. 267), entitled

A bill to amend section 24 of an act entitled "An act to incorporate the city of Ludington," approved March 22, 1873, and to add 21 new sections thereto, to stand as sections 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, and 108;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on State public school and appropriations and finance jointly.

The second named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 31, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 368 (File No. 266), entitled

A bill to repeal an act entitled "An act to amend an act entitled 'An act to incorporate the city of Ludington,' approved March 22, 1873, by adding four new sections thereto, to stand as sections 88 and 89, 90 and 91," approved January 5, 1883;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on cities and villages.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, March 31, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to return to the Senate the following bills:

1. Senate bill No. 186 (File No. 125) entitled

A bill to incorporate the village of Brockway Center, in county of St. Clair;

2. Senate bill No. 128 (File No. 125) entitled

A bill to establish a recorder's court for the city of Kalamazoo, and to define the jurisdiction of the same;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The two bills were referred to the committee on engrossment and enrollment for enrollment.

#### MOTIONS AND RESOLUTIONS.

Mr. Monroe moved to take from the table

House bill No. 28 (File No. 122), entitled

A bill to amend sections 10, 11, 12, 13, 14, 16, 17, 21, 22, and 23 of chapter 50 of Howell's Annotated Statutes of Michigan for the year 1882, relating to the State public school for dependent and neglected children, being compiler's sections 1971, 1972, 1973, 1974, 1975, 1977, 1978, 1981, 1982, 1983, and to add a new section thereto which shall be known as section 18;

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Monroe,

The bill was re-referred to the committee on State public school with instructions that they report the same back as soon as possible.

#### THIRD READING OF BILLS.

House bill No. 105 (File No. 74,) entitled

A bill to make an appropriation for the support of the State Agricultural College, for the erection and repair of buildings and other improvements at the said college.

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Belknap,	Mr. Davis,	Mr. Hertzler,	Mr. Phelps,
Brown,	Edwards,	Manwaring,	Sherwood,
Carpenter,	Hawley,	Monroe,	Smith, G. A.,
Cline,	Heisterman,	Moon,	Smith, S. W.,
Curtiss,	Henry,	Pennell,	Woodruff,
Davenport,			

21

#### NAYS.

0

Title agreed to.

On motion of Mr. Monroe,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By unanimous consent, the following report was received:

By the committee on State public school:

The committee on State public school, to whom was referred

House bill No. 28 (File No. 122), entitled

A bill to amend sections 10, 11, 12, 13, 14, 16, 17, 21, 22, and 23 of chapter 50 of Howell's Annotated Statutes of Michigan for the year 1882, relating to the State public school for dependent and neglected children, being com-

piler's sections 1971, 1972, 1973, 1974, 1975, 1977, 1978, 1981, 1982, 1983, and to add a new section thereto which shall be known as section 18.

Respectfully report that they have had the same under consideration and have directed us to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. R. HENRY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Henry,

The Senate concurred in the amendments made to the bill by the committee.

Mr. Henry moved that the rules be suspended and the bill be placed on the order of third reading,

Which motion did not prevail.

The bill was referred to the committee of the whole, and placed on the general order.

#### GENERAL ORDER.

On motion of Mr. Smith,

The Senate went into committee of the whole on the general order,

Mr. Davenport in the chair.

After some time spent therein, the committee rose, and, through their chairman made the following report:

The committee of the whole have had under consideration the following:

1. House bill No. 133 (file No. 58), entitled

A bill to amend sections 1, 2, and 3 of chapter 263 of the Compiled Laws of 1871, being continuous sections 9583, 9584, 9585, of Howell's Annotated Statutes of Michigan, of 1882, relative to inquests on the view of dead bodies,

2. House bill No. 229 (File No. 229), entitled

A bill to amend section 13 of chapter 150 of the revised statutes of Michigan, of 1846, the same being compiler's section 9019 of Howell's Annotated Statutes of Michigan of 1882, relative to fees of constables in civil cases,

3. House bill No. 67 (File No. 75), entitled

A bill to provide for the partition of real estate in certain cases;

4. House bill No. 98 (File No. 41), entitled

A bill to amend section 1 of act No. 95 of the session laws of 1873, compiler's section of Howell's Compilation of Laws of Michigan, No. 6809, being an act relative to the duties of judges of probate in certain cases;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate and recommend their passage.

The committee of the whole have also had under consideration the following:

5. Senate joint resolution No. 15 (File No. 12), entitled

Joint resolution extending the time for the completion of the Marquette, Houghton and Ontonagon railroad;

6. House bill No. 221, entitled

A bill to change the name of Oelia Jane Marshall to Oelia Jane McCuaig, and to make her the heir at law of Alexander McCuaig,

Have directed their chairman to report the same back to the Senate, with the recommendation that the joint resolution and bill be laid on the table.

GEO. DAVENPORT, *Chairman*.

Report accepted and committee discharged.



The first four named bills were placed on the order of third reading of bills.  
On motion of Mr. Davenport,

The Senate concurred in the action of the committee of the whole, and the last named joint resolution and bill were laid on the table.

Mr. Monroe moved that the committee of the whole be discharged from the further consideration of

House bill No. 28 (File No. 122), entitled

A bill to amend sections 10, 11, 12, 13, 14, 16, 17, 21, 22, and 23, of chapter 50, of Howell's Annotated Statutes of Michigan for the year 1882, relating to the State Public School for dependent and neglected children, being compiler's sections 1971, 1972, 1973, 1974, 1975, 1977, 1978, 1981, 1982, 1983, and to add a new section thereto which shall be known as section 18;

Which motion prevailed.

Mr. Monroe moved to reconsider the vote by which the Senate concurred in the action of the committee on State public school in amending the bill.

The question being on concurring in the action of the committee,

The Senate non-concurred.

The bill was then read a third time, and pending the taking of the vote thereon,

By unanimous consent, Mr. Monroe moved to amend the bill as follows:

By striking out in section ten, lines eight and nine, the words, "The said treasurer and secretary shall be paid for their services in the same manner as the employes of said school."

Which motion prevailed and the bill was so amended.

The bill as amended was so passed, a majority of all the Senators elect voting therefor by yeas and nays as follows:

#### YEAS.

Mr. Belknap,	Mr. Edwards,	Mr. Manwaring,	Mr. Sherwood,
Brown,	Hawley,	Monroe,	Smith, G. A.,
Carpenter,	Heisterman,	Moon,	Smith, S. W.,
Cline,	Henry,	Pennell,	Stephenson,
Curtiss,	Hertzler,	Phelps,	Woodruff,
Davis,			

21

#### NAYS.

0

Title agreed to.

On motion of Mr. Henry,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

On motion of Mr. Manwaring,

The Senate adjourned.

*Lansing, Wednesday, April 1, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.  
Prayer by the Rev. Mr. Taylor.

Roll called : a quorum present.

Absent without leave, Senator Greiner.

Mr. Hawley asked and obtained indefinite leave of absence for Mr. Greiner, on account of sickness.

#### PETITIONS.

No 390. By mail to the Secretary: Resolutions of the board of councilmen of the city of Detroit relative to annexation.

On motion of Mr. Hawley,

The resolutions were ordered printed in the Journal.

The following are the resolutions:

By Councilman Champion:

WHEREAS, The committee on cities and villages of the State Senate have reported a substitute for the annexation bill of the city of Detroit, fixing Clark avenue as the boundary line on the west;

AND, WHEREAS, Said line, if adopted, will not embrace any of the more thickly settled territory, or any of the large manufacturing industries situated upon the Detroit river, and in the vicinity of the railroad junction in Springwells;

AND, WHEREAS, The territory lying between what is known as the Boulevard line and Clark avenue is to a great extent vacant property and in a fair sanitary condition, while the territory beyond Clark avenue is thickly populated and is covered with cess-pools and stagnant water that greatly endanger the health of that section; therefore,

*Resolved*, That this body does most respectfully protest against the adoption of Clark avenue as a boundary line on the west, and most respectfully petitions the Senators and Representatives of the State of Michigan to extend the boundary line sufficiently westward to embrace the more thickly populated portions of Springwells, and the manufacturing industries mentioned. Also

*Resolved*, That the city clerk be and he is hereby instructed to mail to the Senators and Representatives respectfully a copy of this resolution.

Adopted as follows:

Yeas—Councilmen Berry, Champion, Conahan, Dust, Goebel, McGrath, Raynor, Rentz, Streeter, and the President—10.

Nays—None.

No. 391. By Mr. Henry: Petition of W. A. Tomlinson and 17 others, of AuSable, relative to the pharmacy bill;

No. 392. By Mr. Monroe: Petition of A. W. Myers, W. B. Anderson, and 40 others, same object;

No. 393. By Mr. Spencer: Petition of F. Boman and 60 others, of Flushing, Genesee county, same object;

No. 394. By Mr. Moon: Petition of Frank Wood, Paul W. Lange, L. B. Hendel, and 315 others, for the same object;

The four petitions were referred to the committee on public health.

On motion of Mr. Moon,

The last named petition was ordered printed in the Journal.

The following is the petition :

*To the Legislature of the State of Michigan :*

Believing it to be for the best interests of the public health and public safety that drugs, medicines, and poisons should be sold and dispensed, so far as practicable, only by persons who, by years of actual experience and a proper course of study and training, have rendered themselves competent to perform such duties, we, the undersigned, respectfully request that your honorable body will, during its present session, enact a law for the regulation of the practice of pharmacy which will secure to us ample and adequate protection in this direction.

No. 395. By Mr. Belknap: Petition of Mrs. H. A. Parkman and 75 other citizens of Three Rivers, in favor of municipal suffrage for women ;

Referred to the committee on the judiciary.

No. 396. By Mr. Pennell: Petition of S. W. Gibbs and 150 others of Clinton county, asking that the prohibitory amendment to the constitution be submitted to the people relative to the liquor traffic ;

No. 397. By Mr. Sherwood: Petition of W. L. Jackways and 13 others, same object ;

No. 398. By Mr. Spencer: Petition of H. W. Brayton and 34 voters and citizens of Fenton, Genesee county, same object ;

No. 399. By Mr. Hueston: Petition of J. M. Shank, J. Craig, and 20 others, of Trenton, same object ;

The four last named petitions were referred to the committees on liquor traffic and constitutional amendments.

On motion of Mr. Pennell,

The following petition was ordered printed in the Journal:

#### VOTERS' PETITION.

*To the Honorable Senate and House of Representatives of the State of Michigan in Lausing Assembled :*

The right of the people to vote upon organic laws accords with justice, and is an essential feature of true democracy. In view of the enormous evils of the liquor traffic and the problem of abolishing them, a joint resolution to submit the question of prohibiting the traffic has passed the lower House and is in the hands of the Senate for your action. By a vote taken it has failed to pass. Your honorable Senate has practically denied the people's right. For years they have petitioned and been refused their inalienable privilege until their patience is strained, yet, seeing that the action of four of your honorable Senate can restore the violated principle of democracy, we, the undersigned voters, do most humbly pray that the bill be taken from the table and so amended as to submit the question at the general election next ensuing, and passed.

No. 400. By S. W. Smith: Petition of Levi Evans, and 26 others, of Oakland county, for the passage of a law to prohibit the manufacture and sale of oleo-margarine and butterine.

No. 401. By S. W. Smith: Petition of C. S. Bartlett, and 20 others, of Oakland county, same object.

No. 402. By S. W. Smith: Petition of A. N. Goble, and 69 others, of Oakland county, same object.

The three petitions were referred to the committee on State affairs.

## REPORTS OF STANDING COMMITTEES.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred

House bill No. 671, entitled

A bill to amend section 1 of act No. 317, of the session laws of 1883, entitled "An act to organize the public library of West Bay City,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred

House bill No. 468 (File No. 201), entitled

A bill to amend an act entitled "An act to provide for the incorporation of institutions of learning," approved February 9, 1855, being chapter 138 of Howell's Annotated Statutes of the State of Michigan, as amended by act No. 77, of the session laws of 1883,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred

Senate bill No. 389, entitled

A bill to provide for giving instruction in the provisions of the criminal code and the principles of morality,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without recommendation, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. G. A. Smith,

The bill was laid on the table.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred

House bill No. 215 (File No. 169), entitled

A bill to amend an act entitled "An act to revise an act entitled 'An act to incorporate the board of education of the city of East Saginaw,'" and all acts amendatory thereto,

Respectfully report that they have the same under consideration and have directed me to report the same back to the Senate without amendment, and

recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Carveth,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Phelps,
Belknap,	Edwards,	Kempf,	Pulver,
Brown,	Francis,	Manwaring,	Smith, G. A.,
Carveth,	Hawley,	Monroe,	Smith, S. W.,
Cline,	Heisterman,	Moon,	Spencer,
Curtiss,	Hertzler,	Pennell,	Stephenson,
Davenport,			25

NAYS.

Mr. Carpenter, 1

Title agreed to.

On motion of Mr. Davenport,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on counties and townships:

The committee on counties and townships, to whom was referred

House bill No. 286, entitled

A bill to organize the county of Iron and the townships of Bates and Mastodon in said county of Iron,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Francis,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Phelps,
Belknap,	Edwards,	Kempf,	Pulver,
Brown,	Francis,	Manwaring,	Sherwood,
Carpenter,	Heisterman,	Monroe,	Smith, G. A.,
Carveth,	Hertzler,	Moon,	Smith, S. W.,
Curtiss,	Hubbell,	Pennell,	Spencer,
Davenport,			25

NAYS.

0

Title agreed to.

By the committee on counties and townships:

The committee on counties and townships to whom was referred

House bill No. 270, entitled

A bill to detach township 24 north, range one west, from the township of Higgins, in the county of Roscommon, and organize a new separate township of said territory, to be known as the township of Richfield,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on supplies and miscellaneous expenses of the Senate:

The committee on supplies and miscellaneous expenses of the Senate, report the following bills.

Bill of Charles Reeves for washing 145 towels for the Senate Chamber, from March first to April, 1885, at 5 cents per towel, \$7.25,

For labor done under direction of the Sergeant-at-Arms of the Senate, which they have had under consideration, and directed me to report the same to the Senate, and recommend the allowance, and ask to be discharged from the further consideration of the subject.

H. WOODRUFF, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Manwaring,

The bill was allowed.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

Senate bill No. 4 (File No. 6), entitled

A bill to regulate gas works in the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

C. J. MONROE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Monroe,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on appropriations and finance;

The committee on appropriations and finance to whom was referred the subject of mileage for the members, officers, and employes of the Senate, respectfully report that they have had the same under consideration and submit the following supplementary report, recommending that the mileage be allowed as specified therein:

Mark M. Powers, clerk of select joint tax committee, 150 miles.

Respectfully submitted,

GEO. A. SMITH, *Chairman*.

Report accepted.

On motion of Mr. G. A. Smith,

The report was adopted.

## MESSAGES FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICE,  
Lansing, April 1, 1885. }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State,

Senate bill No. 118 (File No. 53), being

An act to incorporate the village of Boyne city;

Also,

Senate bill No. 146 (File No. 128), being

An act to incorporate the village of Frankfort, Benzie county, Mich.

R. A. ALGER, *Governor*.

The message was laid on the table.

## MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, April 1, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 267 (File No. 124), entitled

A bill to incorporate the village of Attica, Lapeer county,

And to inform the Senate that the House has amended the same by striking out, in lines 2 and 3, Sec. 2, the words, "and on the second day of March in each year thereafter;"

In the passage of which as thus amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

Mr. Manwaring moved that the Senate concur in the amendments made to the bill by the House;

Which motion prevailed by yeas and nays as follows:

## YEAS.

Mr. Austin,  
Belknap,  
Brown,  
Carpenter,  
Carveth,  
Oline,  
Curtiss,

Mr. Davenport,  
Davis,  
Edwards,  
Francis,  
Heisterman,  
Hertzler,

Mr. Hueston,  
Kempf,  
Manwaring,  
Monroe,  
Moon,  
Pennell,

Mr. Phelps,  
Pulver,  
Sherwood,  
Smith, G. A.,  
Spencer,  
Stephenson,

25

## NAYS.

0

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 1, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following joint resolution:

Senate joint resolution No. 22 (File No. 7), entitled

Joint resolution to authorize the Board of State Auditors to make investigation to ascertain the cost and expediency of lighting the State capitol building and grounds with electric light;

In the passage of which, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The joint resolution was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 1, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 297 (File No. 172), entitled

A bill to legalize a certain mortgage issued by the Midland County Agricultural Society;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 1, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to re-return to the Senate the following concurrent resolution:

*Resolved* (the House concurring), That when the Legislature adjourns on Thursday, April 2, it stand adjourned until Wednesday, April 8;

Which the House amended so as to read as follows, as shown by message of 31st ult.:

*Resolved* (the House concurring), That when the Legislature adjourns on Friday, April 3, it stand adjourned until Wednesday, April 8, at 2 o'clock P. M.;

And in which amended resolution the Senate non-concurred, as shown by message of this date;



Now to inform the Senate that the House recedes from its amendment, and in the adoption of the resolution concurs.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The message was laid on the table.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 1, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 547 (File No. 159), entitled

A bill to provide for the protection of hotel keepers;

2. House bill No. 234 (File No. 178), entitled

A bill to amend section 6 of act No. 259 of the session laws of 1881, entitled "An act to regulate the sale of spirituous, malt, brewed, fermented, and vinous liquors, to prohibit the sale of such liquors to minors, intoxicated persons, and to persons in the habit of getting intoxicated, to provide a remedy against persons selling liquors to husbands or children in certain cases, and to repeal all acts or parts of acts inconsistent herewith," approved June 10, 1881, the same being section 2275 Howell's Annotated Statutes;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on liquor traffic.

Mr. G. A. Smith moved that immediate effect be given to

Senate bill No. 221 (File No. 114), entitled

A bill to provide for heating, finishing, and furnishing of the asylum for insane criminals,

Which motion prevailed, two-thirds of all the Senators elect voting therefor.

Mr. Cline moved that the Secretary be instructed to send to the House a respectful message, asking the return to the Senate of

House bill No. 183 (File No. 73), entitled

A bill to amend and revise the charter of the city of Port Huron;

Which motion prevailed.

Mr. Brown moved that the committee of the whole be discharged from the further consideration of

Senate bill No. 194 (File No. 112), entitled

A bill to amend sections 3, 5, 6, 8, and 13 of chapter 4, section 2 of chapter 5, section 4 of chapter 6, section 1 of chapter 9, sections 11 and 22 of chapter 17, section 2 of chapter 20, section 7 of chapter 22, section 1 of chapter 23, and section 9 of chapter 27, of an act entitled "An act to incorporate the city of Kalamazoo, and to repeal an act entitled 'An act to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts,'" approved March 15, 1861, as amended by the several acts amendatory thereof, and to add four new sections thereto to be known as section 5 of chapter 6, section 6 of chapter 8, and sections 29 and 30 of chapter 17;

Which motion prevailed.

On motion of Mr. Brown,

The bill was placed on the order of third reading.

Mr. Hubbell moved to take from the table

House joint resolution No. 15 (File No. 12), entitled

A joint resolution extending the time for the completion of the Marquette, Houghton & Ontonagon railroad; .

Which motion prevailed.

On motion of Mr. Hubbell,

The joint resolution was placed on the order of third reading.

Mr. Sherwood moved to take from the table

Senate joint resolution No. 19 (File No. 13), entitled

Joint resolution relating to the semi-centennial celebration of the admission of the State of Michigan into the Union;

Which motion prevailed.

The question being on the adoption of the following amendment proposed by Mr. Pulver:

By adding the following to the joint resolution: "*Provided*, No part of said sum shall be paid as a salary to said commissioners, or as expenses for speakers;"

The same was withdrawn.

The joint resolution was then read a third time and passed, two-thirds of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hueston,	Mr. Pulver,
Belknap,	Davis,	Kempf,	Sherwood,
Brown,	Francis,	Manwaring,	Smith, G. A.,
Carpenter,	Hawley,	Monroe,	Smith, S. W.,
Carveth,	Heisterman,	Moon,	Spencer,
Cline,	Hortzler,	Pennell,	Stephenson,
Curtiss,	Hubbell,	Phelps,	27

#### NAYS.

0

Title and preamble agreed to.

On motion of Mr. Sherwood,

By a vote of two-thirds of all the Senators elect, the joint resolution was ordered to take immediate effect.

Mr. Hawley moved that when the Senate adjourns to-day it stand adjourned until to-morrow morning at 9 o'clock.

Which motion prevailed.

Mr. Kempf moved to take from the table

House bill No. 225 (File No 114), entitled

A bill to repeal sections 4 and 7 of an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, designated as sections 2166 and 2169, chapter 63, of the general statutes in force;

Which motion prevailed.

On motion of Mr. Kempf,

The bill was placed on the order of third reading.

Mr. Hawley moved to take from the table

House bill No. 221, entitled

A bill to change the name of Celia Jane Marshall to Celia Jane McCuaig, and to make her the heir-at-law of Alexander McCuaig;

Which motion prevailed.

On motion of Mr. Hawley,

The bill was placed on the order of third reading.

#### THIRD READING OF BILLS.

House bill No. 98 (File No. 41), entitled

A bill to amend section one of act No. 95 of the session laws of 1873, compiler's section of Howell's Compilation of Laws of Michigan, number 6809, being an act relative to the duties of judges of probate in certain cases,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hubbell,	Mr. Phelps,
Belknap,	Edwards,	Hueston,	Sherwood,
Brown,	Francis,	Kempf,	Smith, G. A.,
Carpenter,	Hawley,	Manwaring,	Smith, S. W.,
Cline,	Heisterman,	Moon,	Spencer,
Curtiss,	Henry,	Pennell,	Stephenson,
Davenport,	Hertzler,		

26

#### NAYS.

0

Title agreed to.

House bill No. 67 (File No. 75), entitled

A bill to provide for the partition of real estate in certain cases,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hertzler,	Mr. Phelps,
Belknap,	Davis,	Hubbell,	Sherwood,
Brown,	Edwards,	Hueston,	Shoemaker,
Carpenter,	Francis,	Kempf,	Smith, G. A.,
Carveth,	Hawley,	Manwaring,	Smith, S. W.,
Cline,	Heisterman,	Moon,	Spencer,
Curtiss,	Henry,	Pennell,	Stephenson,

28

#### NAYS.

0

Title agreed to.

House bill No. 133 (File No. 58), entitled

A bill to amend sections 1, 2, and 3, of chapter 263, of the compiled laws of 1871, being continuous sections 9583, 9584, and 9585 of Howell's Annotated Statutes of Michigan of 1882, relative to inquests on the view of dead bodies,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hubbell,	Mr. Phelps,
Belknap.	Edwards,	Hueston,	Pulver,
Brown,	Francis,	Kempf,	Sherwood,
Carpenter,	Hawley,	Manwaring,	Shoemaker,

Mr. Carveth, Cline, Davenport,	Mr. Heisterman, Henry, Hertzler,	Mr. Monroe, Moon, Pennell,	Mr. Smith, S. W., Spencer, Stephenson, 28
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NAYS.

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Title agreed to.

House bill No. 229 (File No. 91), entitled

A bill to amend section 13 of chapter 150 of the revised statutes of Michigan, of 1846, the same being compiler's section 9019 of Howell's Annotated Statutes of Michigan of 1882, relative to fees of constables in civil cases.

The bill was then read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Carveth moved that he be allowed to offer an amendment at this time; Which motion prevailed.

Mr. Carveth moved to amend the bill as follows:

By striking out of line 2, section 13, the word "each;"

Which motion prevailed, and the bill was so amended.

The bill was then not passed, a majority of all the Senators elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin, Carveth, Edwards, Francis,	Mr. Hawley, Henry, Hertzler,	Mr. Hubbell, Hueston, Monroe,	Mr. Moon, Pennell, Smith, S. W., 13
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NAYS.

Mr. Belknap, Brown, Carpenter, Cline,	Mr. Curtiss, Davenport, Heisterman, Kempf,	Mr. Manwaring, Phelps, Sherwood,	Mr. Shoemaker, Smith, G. A., Stephenson, 14
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Senate bill No. 194 (File No. 112), entitled

A bill to amend sections 3, 5, 6, 8, and 13 of chapter 4, section 2 of chapter 5, section 4 of chapter 6, section 1 of chapter 9, sections 11 and 22 of chapter 17, section 2 of chapter 20, section 7 of chapter 22, section 1 of chapter 23, and section 9 of chapter 27, of an act entitled "An act to incorporate the city of Kalamazoo," and to repeal an act entitled "An act to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts," approved March 15, 1861, as amended by the several acts amendatory thereof, and to add four new sections thereto to be known as section 5 of chapter 6, section 6 of chapter 8, and sections 29 and 30 of chapter 17,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin, Belknap, Brown, Carpenter, Cline, Curtiss, Davenport,	Mr. Davis, Edwards, Francis, Hawley, Heisterman, Henry, Hertzler,	Mr. Hubbell, Kempf, Manwaring, Monroe, Moon, Pennell, Phelps,	Mr. Sherwood, Shoemaker, Smith, G. A., Smith, S. W., Spencer, Stephenson, Woodruff, 28
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NAYS.

0

The question being on agreeing to the title,  
Mr. Francis moved to amend the title as follows:

Senate bill No. 194 (File No. 112), entitled

A bill to amend sections 3, 5, 6, 8, and 13 of chapter 4, section 2 of chapter 5, section 4 of chapter 6, sections 11 and 22 of chapter 17, section 2 of chapter 20, section 7 of chapter 22, and section 1 of chapter 23, of an act entitled "An act to incorporate the city of Kalamazoo," and to repeal an act entitled "An act to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts," approved March 15, 1861, as amended by the several acts amendatory thereof, and to add four new sections thereto to be known as section 5 of chapter 6, section 6 of chapter 8, and sections 29 and 30 of chapter 17;

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Brown,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate joint resolution No. 15 (File No. 12), entitled

Joint resolution extending the time for the completion of the Marquette, Houghton and Ontonagon railroad,

Was read a third time, and the question being its passage, pending the taking of the vote thereon,

Mr. Manwaring moved that he be allowed to offer an amendment to the joint resolution at this time;

Which motion prevailed.

Mr. Manwaring then moved to amend the joint resolution as follows: By adding the following to the joint resolution: Provided such company shall be required to build not less than ten miles of said road on or before the 1st day of November, 1885,

Mr. Moon called for the previous question,

Which was demanded by a majority.

The question being shall the main question be now put,

The same was ordered.

The question being on the adoption of the amendment to the joint resolution,

The same was not adopted.

The question being on the passage of the joint resolution,

The same was then passed, two-thirds of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Hawley,	Mr. Kempf,	Mr. Shoemaker,
Belknap,	Heisterman,	Monroe,	Smith, G. A.,
Brown,	Henry,	Moon,	Smith, S. W.,
Carpenter,	Hertzler,	Pennell,	Spencer,
Carveth,	Hubbell,	Phelps,	Stephenson,
Edwards,	Hueston,	Sherwood,	Woodruff,
Francis,			

25

#### NAYS.

Mr. Oline,	Mr. Davenport,	Mr. Davis,	Mr. Manwaring,
Curtiss,			
Title agreed to.			

5

On motion of Mr. Stephenson,

By a vote of two-thirds of all the Senators elect, the joint resolution was ordered to take immediate effect.

Mr. Francis asked and obtained leave of absence for himself for this evening and Friday's sessions.

Mr. Curtiss asked and obtained leave of absence for himself for Thursday's session.

On motion of Mr. S. W. Smith,

The Senate took a recess until 7:30 o'clock P. M.

#### EVENING SESSION.

7:30 o'clock P. M.

The Senate met and was called to order by the President *pro tem*.

Roll called: a quorum present.

Mr. Stephenson asked and obtained leave of absence for himself for Thursday's session.

Mr. Monroe asked and obtained leave of absence for Mr. Shoemaker for the evening.

Mr. G. A. Smith asked and obtained leave of absence for Mr. Austin for the evening.

The Senate resumed the order of

#### THIRD READING OF BILLS.

House bill No. 225 (File No. 114), entitled

A bill to repeal sections 4 and 7 of an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, designated as sections 2166 and 2169, chapter 63, of the general statutes in force,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Brown,	Mr. Davis,	Mr. Manwaring,	Mr. Smith, G. A.,
· Carpenter,	Hawley,	Monroe,	Smith, S. W.,
· Carveth,	Heisterman,	Moon,	Spencer,
Cline,	Hubbell,	Pennell,	Woodruff,
Davenport,	Kempf,	Phelps,	President
			<i>pro tem.</i> 20

#### NAYS.

0

Title agreed to.

House bill No. 221, entitled

A bill to change the name of Celia Jane Marshall to Celia Jane McCuaig, and to make her the heir at law of Alexander McCuaig,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Brown,	Mr. Edwards.	Mr. Manwaring,	Mr. Smith, G. A.,
Carpenter,	Hawley,	Monroe,	Smith, S. W.,
Carveth,	Hertzler,	Moon,	Spencer,
Oline,	Hubbell,	Pennell,	Woodruff,
Davenport,	Kempf,	Phelps,	President
Davis,			<i>pro tem.</i> , 21

## NAYS.

Mr. Heisterman,

1

Title agreed to.

On motion of Mr. Manwaring,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By unanimous consent,

The Senate returned to the order of

## MESSAGES FROM THE HOUSE.

The President *pro tem.* announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 1, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 58 (File No. 217), entitled

A bill to revise and amend sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 19, and 20 of an act entitled "An act to establish and organize a municipal court in the city of Grand Rapids to be known and called 'the police court of Grand Rapids,' and to repeal an act entitled an act to establish and organize a police court in the city of Grand Rapids, approved April 30, 1873, and all amendments thereto, and all acts and parts of acts in any wise contravening the provisions of this act," being act No. 76 of the session laws of 1879, approved May 13, 1879;

2. House bill No. 265 (File No. 235), entitled

A bill to attach certain territory to graded school district number one of L'Anse township, Baraga county, Michigan;

3. House bill No. 373 (File No. 207), entitled

A bill for the incorporation of building, loan fund, and savings associations;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives,*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The third named bill was read a first and second time by its title and referred to the committee on banks and incorporations.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 1, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 404 (File No. 77), entitled

A bill for the rebuilding, repairing and preservation of the bridges across the Au Sable river within the boundaries of the county of Oscoda, and providing for the election of a county bridge commissioner;"

And to inform the Senate that the House has amended section two, line six, by adding after the word county the following: "Provided the amount to be raised in any one year shall not exceed the sum of one thousand dollars;"

In the passage of which as thus amended the House has concurred by a majority vote of all the members elect:

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

Mr. Manwaring moved that the Senate concur in the amendments made to the bill by the House;

Which motion prevailed, by yeas and nays as follows:

YEAS.

Mr. Brown,	Mr. Edwards,	Mr. Manwaring,	Mr. Pulver,
Carpenter,	Heisterman,	Monroe,	Smith, G. A.,
Carveth,	Hertzler,	Moon,	Smith, S. W.,
Davenport,	Hubbell,	Pennell,	Spencer,
Davis,	Kempf,	Phelps,	President
			<i>pro tem.</i> 20

NAYS.

0

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 1, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 447 (File No. 156), entitled

A bill to amend, revise and consolidate the laws organizing asylums for the insane, and regulating the care and management thereof, and of the inmates therein, and to repeal act 164, laws of 1859; also act 194, laws of 1877; also act 91, laws of 1873, and the acts amendatory thereto; also act 172, laws of 1873;

2. House bill No. 678 (File No. 234), entitled

A bill to prevent the sale and use of unwholesome milk and milk products;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committees on asylums for insane and the judiciary, jointly.

The second bill was read a first and second time by its title, and referred to the committee on State affairs.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 1, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 45 (File No. 23), entitled



A bill amending section 9199 of Howell's Annotated Statutes relative to breaking locks and chains attached to boats;

And to inform the Senate that the House has amended the same by inserting in line 1, section 2, after the word "shall," the word "willfully;"

In the passage of which, as thus amended, the House has concurred by a majority vote of all the Senators elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

Mr. Manwaring moved that the Senate concur in the amendments made to the bill by the House;

Which motion did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Brown,	Mr. Edwards,	Mr. Monroe,	Mr. Pulver,
Carveth,	Heisterman,	Moon,	Spencer,
Cline,	Hubbell,	Phelps,	President
Davis,	Manwaring,		<i>pro tem.</i> , 14

NAYS.

Mr. Carpenter,	Mr. Hertzler,	Mr. Pennell,	Mr. Smith, S. W.,
Hawley,	Kempf,		6

Mr. Hawley moved to reconsider the vote by which the Senate refused to concur in the amendment made to the bill by the House;

Which motion prevailed.

The question being on concurring in said amendment,

On motion of Mr. Hawley,

The bill was laid on the table.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 1, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following joint resolutions:

1. House joint resolution No. 44 (File No. 15), entitled

Joint resolution to amend section 2, of article 18 of the Constitution of this State relative to drain commissioner;

2. House joint resolution No. 19 (File No. 13), entitled

Joint resolution to amend the Constitution of this State by striking out section 6 of article 4, legislative department, which makes persons holding certain United States, State, and county offices, ineligible to or have a seat in either house of the Legislature;

Which have passed the House by a two-thirds majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named joint resolution was read a first and second time by its title and referred to the committee on constitutional amendments.

The second joint resolution was read a first and second time by its title and referred to the committee on constitutional amendments.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 1, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to transmit the following bills:

1. House bill No. 554 (File No. 195), entitled

A bill making it a felony to manufacture, buy, sell, furnish, or cause to be furnished, or have in possession any nitro-glycerine, dynamite, giant powder, or any other dangerous explosive material for unlawful purposes, and to provide a punishment for the same;

2. House bill No. 334 (File No. 189), entitled

A bill to amend section 30 of chapter 153 of the revised statutes of 1846, being section 7539 of the compiled laws of 1871, relative to offenses against the lives and persons of individuals;

3. House bill No. 350 (File No. 188), entitled

A bill to amend section 1 of act No. 18 of the session laws of 1877, being compiler's section 6747 of Howell's Annotated Statutes relative to sales of lands in pursuance of decrees in chancery;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

D. L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The third named bill was read a first and second time by its title and referred to the committee on the judiciary.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 1, 1884. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 679 (File No. 191), entitled

A bill to amend act No. 26, laws of 1873, entitled "An act to prevent and punish offenders for the adulteration of milk and the products made therefrom, and to repeal an act entitled 'An act to prevent the adulteration of milk, and to prevent the traffic in unwholesome milk,' approved March 31, 1871," being section 2214 of Howell's Annotated Statutes, by adding a section thereto to stand as section 2;

2. House bill No. 654 (File No. 205), entitled

A bill to provide for keeping in repair a certain State road in St. Clair county;

3. House bill No. 599 (File No. 216), entitled

A bill to amend section four of an act entitled "An act to protect fish and preserve fisheries in this State," approved March 28, 1865, act No. 350 session laws of 1865, being section 2166 of Howell's Annotated Statutes;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on State affairs.

The second named bill was read a first and second time by its title, and referred to the committee on roads and bridges.

The third named bill was read a first and second time by its title, and referred to the committee on fisheries.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, {  
Lansing, April 1, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 328 (File No. 211), entitled

A bill to authorize the use of condemned State arms by the organizations known as the Sons of Veterans;

2. House bill No. 282 (File No. 237), entitled

A bill authorizing and empowering the trustees of the Michigan Asylum for the Insane to purchase a tract of land lying north and east of the land now owned by the State, and occupied by the asylum, and also to erect a carpenter shop;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on military affairs.

The second named bill was read a first and second time by its title, and referred to the committee on asylums for the insane and appropriations and finance jointly.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES,  
Lansing, April 1, 1885.

*To the President of the Senate:*

SIR,—I am instructed by the House to transmit the following bills and joint resolution:

1. House bill No. 135 (File No. 181), entitled

A bill to amend section 65 of act No. 213 of the session laws of 1875, being section No. 9727 of Howell's Annotated Statutes relative to the State prison and the government thereof;

2. House bill No. 431 (File No. 175), entitled

A bill to amend section 20 of chapter 4 of act 164, session laws of 1881, being consecutive section 5097 of Howell's Annotated Statutes of 1882, relative to the payment by township treasurers of school taxes collected;

3. House joint resolution No. 31 (File No. 16), entitled

A joint resolution authorizing the Governor to issue a patent to Chester C. Morton, of Cass county, for the e  $\frac{1}{2}$  of the southeast fractional  $\frac{1}{4}$  of section 16, in township 5 south, of range number 15 west, in Cass county, the same being primary school lands;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The first named joint resolution was read a first and second time by its title, and referred to the committees on State prison and the judiciary, jointly.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The third named joint resolution was read a first and second time by its title, and referred to the committee on public lands.

#### REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate bill No. 128 (File No. 113), entitled

A bill to establish a recorder's court for the city of Kalamazoo, and to define the jurisdiction of the same;

Also,

Senate bill No. 186 (File No. 125), entitled

A bill to incorporate the village of Brockway Centre, in the county of St. Clair.

J. W. BELKNAP, *Chairman.*

Report accepted.

#### GENERAL ORDER.

On motion of Mr. Hubbell,

The Senate went into committee of the whole on the general order,

Mr. Kempf in the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following:

1. Senate bill No. 71 (File No. 118), entitled

A bill to repeal sections 6474 and 6475 of Howell's Annotated Statutes of this State, being continuous sections 4953 and 4954 of the compiled laws of 1871;

2. Senate bill No. 72 (File No. 119), entitled

A bill to repeal act number 193 of the session laws of 1883, being continuous sections 8749a, 8749b, 8749c, 8749d, 8749e, 8749f, 8749g, 8749h, 8749i, 8749j, 8749k, 8749l of Howell's Annotated Statutes of this State;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

3. Senate bill No. 144 (File No. 121), entitled

A bill to provide a pension on the retirement or resignation of judges of the State courts at the age of seventy years, and of twenty years' service,

Have stricken out all after the enacting clause thereof, and ask the concurrence of the Senate in their action.

R. KEMPF, *Chairman.*

Report accepted and committee discharged.

The first two named bills were placed on the order of third reading of bills.

On motion of Mr. Henry,

The Senate concurred in the action of the committee of the whole in striking out all after the enacting clause of the third named bill.

Title and enacting clause laid on the table.

On motion of Mr. Manwaring,

The Senate adjourned.

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*Lansing, Thursday, April 2, 1885.*

The Senate met and was called to order by the President at 9 o'clock A. M.  
Roll called: quorum present.

#### PETITIONS.

No. 403. By Mr. Manwaring: Petition of T. J. Shoemaker, and 18 other citizens of Mt. Clemens, for the passage of the pharmacy bill.

No. 404. By Mr. Belknap: Petition of M. L. Divine, and 59 others, of Hubbardston, same object.

No. 403. By Mr. Sherwood: Petition of J. Rourke, and 59 other citizens of Cass county, same object.

No. 406. By Mr. Carpenter: Petition of John M. Osborn, 132 other citizens of Hudson, Lenawee county, Michigan, same object.

The four petitions were referred to the committee on public health.

No. 407. By Mr. Belknap: Petition of P. B. Whitford, and 44 others, of Grand Rapids, in favor of municipal suffrage.

No. 408. By the same: Petition of Mrs. B. Perrin, and 13 others, of Moorepark, same object.

The two petitions were referred to the committee on judiciary.

#### REPORTS OF STANDING COMMITTEES.

By the committees on school for the blind and appropriations and finance:  
The committees on school for the blind and appropriations and finance, to whom was jointly referred

Senate bill No. 263, entitled

A bill making an appropriation for the School for the Blind for the years 1885 and 1886.

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

J. W. BELKNAP,

*Chairman Committee on School for the Blind.*

GEO. A. SMITH,

*Chairman Committee on Appropriations and Finance.*

Report accepted and committees discharged.

On motion of Mr. Belknap,

The Senate concurred in the amendments made to the bill by the committees.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on agricultural interests:

The committee on agricultural interests, to whom was referred Senate bill No. 37 (File No. 15), entitled

A bill to prevent the spread of contagious diseases among cattle,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

MANSON CARPENTER, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committees on Michigan asylum for the insane and appropriations and finance:

The committees on asylums for the insane and appropriations and finance, to whom was jointly referred

House bill No. 282 (File No. 237), entitled

A bill authorizing and empowering the trustees of the Michigan asylum for the insane to purchase a tract of land lying north and east of the land now owned by the State and occupied by the asylum, and also to erect a carpenters' shop,

Respectfully report that they have had the same under consideration, and have directed us to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. C. SPENCER,

*Chairman Committee on Asylums for the Insane.*

GEO. A. SMITH,

*Chairman Committee on Appropriations and Finance.*

Report accepted and committees discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the special committee on election laws:

The special committee on election laws, to whom was referred

Senate bill No. 265, entitled

A bill to regulate the holding of general and special elections, and the canvass and return of votes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying substitute therefor, entitled

A bill to regulate the holding of elections and the canvass and return of votes, and to further guard against abuses of the elective franchise,

Recommending that the substitute be concurred in, and that the same be printed and re-committed to the committee.

J. W. BELKNAP, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Belknap,

The bill was ordered printed and re-referred to the committee.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate bill No. 267 (File No. 124), entitled

A bill to incorporate the village of Attica, Lapeer county;

Also,

Senate joint resolution No. 22 (File No. 7), entitled

Joint resolution to authorize the Board of State Auditors to make investigation to ascertain the cost and expediency of lighting the State capitol building and grounds with electric light.

J. W. BELKNAP, *Chairman*.

Report accepted.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

Senate bill No. 111, entitled

A bill to amend section 14 of an act relating to burying grounds, approved Feb. 2, 1855, being section 4741, Howell's Annotated Statutes, and to add a new section thereto to be known as section 36,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendments and without recommendation, and ask to be discharged from the further consideration of the subject.

C. J. MONROE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hawley,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

#### MOTIONS AND RESOLUTIONS.

Mr. Hawley moved that the committee of the whole be discharged from the further consideration of

House bill No. 468 (File No. 201), entitled

A bill to amend an act entitled "An act to provide for the incorporation of institutions of learning," approved February 9, 1855, being chapter 138 of Howell's Annotated Statutes of the State of Michigan, as amended by act No. 77, of the session laws of 1883;

Which motion prevailed.

On motion of Mr. Hawley,

The bill was placed on the order of third reading.

#### THIRD READING OF BILLS.

Senate bill No. 72 (File No. 119), entitled

A bill to repeal act No. 193 of the session laws of 1883, being continuous sections 8749a, 8749b, 8749c, 8739d, 8749e, 8749f, 8749g, 8749h, 8749i, 8749j, 8749k, 8749l of Howell's Annotated Statutes of this State,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hubbell,	Mr. Moon,
Carpenter,	Hawley,	Hueston,	Smith, G. A.,
Carveth,	Heisterman,	Kempf,	Smith, S. W.,
Oline,	Henry,	Manwaring,	Spencer,
Davenport,	Hertzler,	Monroe,	Woodruff,
Davis,			

## NAYS.

0

The question being on agreeing to the title,

Mr. Henry moved to amend the title so as to read as follows :

A bill to repeal act No. 193 of the session laws of 1883, being continuous sections 8749a, 8749b, 8749c, 8749d, 8749e, 8749f, 8749g, 8749h, 8749i, 8749j, 8749k, 8749l of Howell's Annotated Statutes of this State, being an act to prevent debtors from giving preference to creditors, and to secure the equal distribution of the property of debtors among their creditors, and for the release of debts against debtors ;

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Henry,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 71 (File No. 118), entitled

A bill to repeal sections 6474 and 6475 of Howell's Annotated Statutes of this State, being continuous sections 4953 and 4954 of the compiled laws of 1871,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Austin,	Mr. Heisterman,	Mr. Kempf,	Mr. Shoemaker,
Carpenter,	Henry,	Monroe,	Smith, S. W.,
Cline,	Hertzler,	Moon,	Spencer,
Davenport,	Hubbell,	Pennell,	Woodruff,
Hawley,	Hueston,	Pulver,	19

## NAYS.

Mr. Edwards,	Mr. Mauwaring,	2
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The question being on agreeing to the title,

Mr. Henry moved to amend the title as follows :

A bill to repeal sections 6474 and 6475 of Howell's Annotated Statutes of this State, being continuous sections 4953 and 4954 of the compiled laws of 1871, relative to the payment of entry and jury fees in circuit courts ;

Which motion prevailed.

The title as amended was then agreed to.

Mr. Henry moved that the bill be ordered to take immediate effect ;

Which motion did not prevail.

Mr. Carveth moved to reconsider the vote by which the Senate passed the bill ;

Which motion prevailed.

The question being on the passage of the bill,

Mr. Kempf moved that the Senate do now adjourn ;

Which motion did not prevail.

The question being on the motion to reconsider the vote by which the Senate passed the bill,

Mr. Edwards moved the previous question.

Mr. Hubbell called for the yeas and nays.

The previous question was then demanded by yeas and nays as follows :

## YEAS.

Mr. Belknap,	Mr. Davis,	Mr. Hueston,	Mr. Phelps,
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Mr. Brown,  
Carveth,  
Davenport,

Mr. Edwards,  
Heisterman,  
Hertzler,

Mr. Kempf,  
Manwaring,  
Moon,

Mr. Sherwood,  
Shoemaker,  
Spencer, 16

NAYS.

Mr. Hubbell,

1

The question being shall the main question be now put,  
The same was then ordered.

The motion to reconsider then prevailed.

The question being on the passage of the bill,

On motion of Mr. Hertzler,

The bill was laid on the table.

Mr. Belknap moved that the Senate go into executive session ;

Which motion prevailed.

The Senate went into executive session, the time being 10:15 o'clock.

The executive session closed, the time being 10:30 o'clock.

By unanimous consent the Senate returned to the order of

#### MESSAGES FROM THE HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, Apr. 2, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following entitled bill:

House bill No. 670 (File No. 146), entitled

A bill to amend sundry sections of an act entitled "An act to revise an act to incorporate the city of Bay City," approved March 21, 1865, as amended and revised by the several acts amendatory and revisionary thereof, and to add a new section thereto to stand as section 101 of said act;

Which the Senate amended as shown by message of 27th inst. as follows:

1. By striking out of line 12, section 10, the word "of" where it first occurs, and inserting the word "or" in lieu thereof;

2. By inserting in line 2, section 78, after the word "council," the words, "on the nomination of the mayor;"

3. By striking out of section 101 all after the word "board," in line 5;

And in which amendments the House non-concurred, as shown by message of 28th inst., and in which amendments the Senate insisted.

Upon notice thereof, the House requested a committee of conference, in which request the Senate concurred.

Now, to inform the Senate that said conference committee reported as follows:

The committee of conference, to whom was referred

House bill No. 670 (File No. 146), entitled

A bill to amend sundry sections of an act entitled an act to revise an act to incorporate the city of Bay City, approved March 21, 1865, as amended and revised by the several acts amendatory and revisionary thereof, and to add a new section thereto to stand as section 101 of said act ;

Which the Senate amended as shown by message of 27th inst. as follows:

1. By striking out of line 12, section 10, the word "of" where it first occurs, and inserting the word "or" in lieu thereof;

2. By inserting in line 2, section 78, after the word "council" the words "on the nomination of the mayor;"

3. By striking out of section 101 all after the word "board" in line 5;  
And in which amendments the House non-concurred as shown by message of 28th inst.,

Respectfully report that they have had the same under consideration and report the same back to the House with the recommendation that the amendments made by the Senate be concurred in, and ask to be discharged from the further consideration of the subject.

CHARLES AUSTIN,  
JOHN L. CURTISS,  
L. C. DAVIS.  
*Senate Conference Committee.*  
C. P. BLACK,  
D. P. MARKEY,  
GEO. OVIATT.  
*House Conference Committee.*

Also, now to inform the Senate that in the report of the conference committee the House has concurred by a majority vote of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The message was laid on the table.

By unanimous consent,

Mr. Hubbell offered the following resolution:

WHEREAS, It is alleged that the engrossing and enrolling clerk of the Senate has put in a bill for, and been allowed, excessive mileage; therefore

*Resolved*, That the committee on appropriations and finance be and they are hereby instructed to investigate the said allegation and report their findings in the premises to the Senate at the earliest day practicable;

Which was adopted.

On motion of Mr. Sherwood,

The Senate adjourned.

The President announced that the Senate would stand adjourned until Wednesday, April 8, at 2 o'clock P. M.

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*Lansing, Wednesday, April 8, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.

Prayer by the Rev. Mr. Taylor.

Roll called: a quorum present.

Absent without leave: Senators Brown, Curtiss, Davenport, Edwards, Francis, Hubbell, Moon, G. A. Smith and Stevenson.

On motion of Mr. Pulver,

Leave of absence was granted to Mr. Hubbell for the day.

On motion of Mr. Henry,

Leave of absence was granted to Mr. Stephenson indefinitely.

On motion of Mr. Sherwood,  
Leave of absence was granted to all absentees for the day.

#### PETITIONS.

No. 409. By Mr. Carpenter: Petition of J. F. Gilmore, B. S. Scudder, J. D. Martin and 39 others, voters of Mason township, Lenawee county, for the submission of the prohibitory amendment at the next general election.

No. 410. By the same: Petition of H. Peters and 41 others of the same county, same object.

No. 411. By the same: Petition of the township board of Rollin, Lenawee county, and 41 others, same object.

No. 412. By Mr. Phelps: Petition of O. M. Bronson and 148 other voters, same object.

No. 413. By Mr. Pulver: Petition of Elizabeth Detwiler and 41 other ladies and youths of Shiawassee county, same object.

No. 414. By the same: Petition of George W. Detweiler and 47 others of Shiawassee county, same object.

No. 415. By the same: Petition of A. J. Wickman and 36 others of Livingston county, same object;

No. 416. By Mr. Belknap: Petition of A. Mather, Frank Abbott, and 40 others of Ionia county, same object.

No. 417. By Mr. Belknap: Petition of J. A. Stringham and 50 others of Montcalm county, same object;

No. 418. By Mr. Woodruff: Petition of 180 citizens of Salt River, Isabella county, same object;

No. 419. By Mr. Heisterman: Petition of C. M. Gray, J. H. Thompson and 28 others of Huron county, same object.

No. 420. By Mr. Heisterman: Petition of Robert Gotts and 31 others of Huron county, same object.

No. 421. By Mr. S. W. Smith: Petition of J. W. McGregor and 38 others, of Clarkston, Oakland county, same object;

No. 422. By Mr. Carveth: Petition of M. Hudson, J. D. Burkhead, and 158 others, for the same object;

No. 423. By the same: Petition of H. F. Pennington and 154 others, same object;

No. 424. By the same: Petition of J. P. Perkins and 12 others, same object;

No. 425. By the same: Petition of James Reid, O. J. Perrin, and 15 other members of the Saginaw Valley Ministerial Association, same object;

No. 426. By Mr. Henry: Petition of O. Palmer and 38 other citizens of Grayling, same object;

No. 427. By the same: Petition of Alfred S. Badger and 43 others, same object;

No. 428. By Mr. Pennell: Petition of G. C. Draper and 180 others, same object;

The 20 petitions were referred to the committee on liquor traffic.

No. 429. By Mr. Phelps: Petition of J. C. Branch, H. J. Orwig, and 92 others, for the passage of the pharmacy bill;

No. 430. By Mr. Davis: Petition of W. L. Martin and 55 others, same object;

No. 431. By Mr. Manwaring: Petition of George C. Phillips and 50 other citizens of Armada, Macomb county, same object;

No. 432. By Mr. Pulver: Petition of Charles E. Cook and 18 other citizens of Shiawassee county, same object;

No. 433. By Mr. Belknap: Petition of A. L. Corry, W. O. Griswold and 41 others of Stanton, Montcalm county, same object;

No. 434. By Mr. Pulver: Petition of Geo. H. Galusha and 28 others, same object;

The six petitions were referred to the committee on public health.

No. 435. By Mr. Pulver: Petition of O. H. Obert and 27 other citizens of Shiawassee county in favor of the minority representative bill;

No. 436. By Mr. Heisterman: Petition of Horatio Pratt and 15 others, citizens of Sanilac county, same object.

The two petitions were referred to the committee on banks and incorporations.

No. 437. By Mr. Kempf: Remonstrance of E. Gregory, E. F. Pyle, and 65 others against the passage of House bill No. 581, relative to roller skating rinks.

Referred to the committee on State affairs.

No. 438. By Mr. Kempf: Remonstrance of W. S. Perry, James B. Angell, and 55 others against the passage of a bill to prohibit the teaching of languages other than the English, and studies in other than the English language in the primary schools in this State, except in certain cases.

Referred to the committee on education and public schools.

No. 439. By Mr. Pulver: Petition of Jabez Close and 21 others, citizens of Shiawassee county, in favor of taxing mortgages.

Referred to the select committee on taxation.

#### REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate bill No. 404 (File No. 77), entitled

A bill for the rebuilding, repair and preservation of the bridges across the Au Sable river within the boundaries of the county of Oscoda, and providing for the election of a "county bridge commissioner."

J. W. BELKNAP, *Chairman*.

Report accepted.

#### COMMUNICATION FROM STATE OFFICER.

STATE OF MICHIGAN, DEPARTMENT OF STATE, }  
Lansing, April 2, 1885. }

*To the Honorable Senate and House of Representatives:*

GENTLEMEN—I have the honor to herewith transmit to your honorable body a copy of the acknowledgment of the receipt by General Grant of the concurrent resolutions passed by you March 18, 1885.

Yours respectfully,

H. A. CONANT,  
*Secretary of State.*

*New York, March 24, 1885.*

*Hon. H. A. Conant, Secretary of State, Lansing, Mich.:*

DEAR SIR,—Your communication of the 19th inst., transmitting a concurrent resolution of the State Legislature, was received. General Grant wishes

me to express his thanks to the Legislature and Governor of the State for their action of March 18 in passing the resolution. Very respectfully,

F. D. GRANT.

MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 2, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 194 (File No. 112), entitled

A bill to amend sections 3, 5, 6, 8, and 13 of chapter 4, section 2 of chapter 5, section 4 of chapter 6, sections 11 and 22 of chapter 17, section 2 of chapter 20, section 7 of chapter 22, and section 1 of chapter 23, of an act entitled "An act to incorporate the city of Kalamazoo," and to repeal an act entitled "An act to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts," approved March 15, 1861, as amended by the several acts amendatory thereof, and to add four new sections thereto to be known as section 5 of chapter 6, section 6 of chapter 8, and sections 29 and 30 of chapter 17;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 2, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to request the return of the following bill:

House bill No. 599 (File No. 216), entitled

A bill to amend section 4 of an act entitled "An act to protect fish and preserve fisheries of this State," approved March 28, 1865, act No. 350, session laws of 1865, being section 2166, of Howell's Annotated Statutes.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

On motion of Mr. Belknap:

The committee on fisheries was discharged from the further consideration of the bill;

Whereupon the committee on fisheries made the following report:

By the committee on fisheries:

The committee on fisheries, to whom was referred

House bill No. 599 (File No. 216), entitled

A bill to amend section 4 of an act entitled "An act to protect fish and preserve fisheries of this State," approved March 21, 1865, act number 350, session laws 1865, being section 2166 of Howell's Annotated Statutes,

Respectfully report the same back to the Senate in accordance with instructions.

R. KEMPF, *Chairman.*

Report accepted.

On motion of Mr. Belknap,

The Senate granted the request of the House and the bill was ordered returned.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 1, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 261 (File No. 236), entitled

A bill to amend section 6 of act number 39 of the session laws of 1855, being consecutive section No. 4378 of Howell's Annotated Statutes relative to the appointment of State visitors to incorporated institutions of learning;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on education and public schools.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 1, 1885.* }

*To the President of the Senate:*

SIR,—I am instructed by the House to return to the Senate the following bill:

Senate bill No. 320 (File No. 98), entitled

A bill to amend section 10 of act No. 164, of the public acts of 1877, approved May 21, 1877, being an act entitled "An act to authorize cities, incorporated villages, and townships to establish and maintain free public libraries and reading rooms," being section 5184 of Howell's Annotated Statutes;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 2, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 283 (File No. 238), entitled

A bill making an appropriation for building a kitchen containing lodging rooms for employes, and for building an infirmary and heating the same, at the Michigan Asylum for the Insane;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committees on asylums for the insane and appropriations and finance jointly.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 2, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to re-transmit the following bill:

House bill No. 183 (File No. 73), entitled

A bill to amend and revise the charter of the city of Port Huron,

In accordance with a request of the Senate this day received.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

On motion of Mr. Carpenter,

The bill was laid on the table.

#### MOTIONS AND RESOLUTIONS.

Mr. Henry offered the following resolution:

*Resolved*, That a respectful message be sent the Governor asking that he transmit and return to the Senate,

Senate bill No. 152 (File No. 54), entitled

A bill to reincorporate the village of Roscommon;

Which was adopted.

#### THIRD READING OF BILLS.

House bill No. 468 (File No. 201), entitled

A bill to amend an act entitled "An act to provide for the incorporation of institutions of learning," approved February 9, 1855, being chapter 138 of Howell's Annotated Statutes of the State of Michigan, as amended by act No. 77, of the session laws of 1883,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Hawley,	Mr. Manwaring,	Mr. Sherwood,
Belknap,	Heisterman,	Monroe,	Shoemaker,
Carpenter,	Henry,	Pennell,	Smith, S. W.,
Carveth,	Hertzler,	Phelps,	Spencer,
Davis,	Hueston,	Pulver,	Woodruff,
Greiner,	Kempf,		

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#### NAYS.

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Title agreed to.

On motion of Mr. Hawley,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

## GENERAL ORDER.

On motion of Mr. Manwaring,

The Senate went into committee of the whole on the general order,  
Mr. Spencer in the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following:

1. Senate bill No. 316 (File No. 135), entitled

A bill to amend section 2 of act No. 27 of the session laws of 1882, approved March 15, 1882, entitled "An act to provide for the incorporation of the Grand Council of the Royal Templars of Temperance, and any select council of the order in the State of Michigan;"

2. Senate bill No. 383 (File No. 137), entitled

A bill to authorize and empower the board of supervisors of Jackson county and the Jackson county agricultural society to sell the grounds in the city of Jackson, known as the fair grounds, and to purchase other grounds to be used as public grounds and grounds for holding agricultural and other fairs;

3. Senate bill No. 112 (File No. 142), entitled

A bill to amend compiler's section 7508, being section 78, chapter 262 of Howell's Statutes, relative to the taking of depositions to be used in judicial proceeding in this State;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

The committee of the whole have also had under consideration the following:

4. Senate bill No. 219 (File No. 136), entitled

A bill to amend sections 8 and 75 of chapter 10 of the compiled laws of 1871, being compiler's sections 480 and 585 of Howell's Annotated Statutes, with reference to county officers;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

The committee of the whole have also had under consideration the following:

5. Senate bill No. 224 (File No. 224), entitled

A bill to amend sections 5, 8, and 33 of act No. 372 of the laws of 1867, entitled "An act to revise the charter of the City of Flint," approved March 20, 1867, and the acts amendatory thereof;

Have directed their chairman to report the same back to the Senate with the recommendation that the bill be laid on the table.

The committee of the whole have also had under consideration the following:

6. Senate bill No. 192 (File No. 131), entitled

A bill to provide for a deputy attorney general for the office of Attorney General at Lansing;

7. Senate bill No. 377 (File No. 133), entitled

A bill to make the possession of fish or game during the close season prima-facie evidence of the illegal capture of such fish or game;

8. Senate bill No. 104 (File No. 143), entitled

A bill to amend section 41 of chapter 150 of the compiled laws of 1871, being compiler's section 5701 of Howell's Annotated Statutes, relative to discharges of mortgages;



Have stricken out all after the enacting clause thereof, and ask the concurrence of the Senate in their action.

The committee of the whole have also had under consideration the following:

9. Senate bill No. 345 (File No. 140), entitled

A bill to amend section 5 of act No. 79 of the session laws of 1873, entitled "An act to provide for the appointment of a Commissioner of Railroads, and to define his powers, duties, and fix his compensation," and the acts amendatory thereof;!

Have directed their chairman to report the same back to the Senate, with the recommendation that the bill be laid on the table, and that the following amendment proposed be printed in the Journal:

The following is the proposed amendment:

Add to section 5, act No. 79, 1863, as amended by act No. 88, 1877, and act No. 81, 1888, the following:

"And all articles of association, consolidation, and amendments of the same, together with all other archives or documents in anywise appertaining to the organization or charters of railroad companies under any law of this State, now in the custody of the Secretary of State, shall be transferred to the office of the Commissioner of Railroads. And from and after the passage of this act, all articles of association, consolidation, and amendments of the same, and all other documents appertaining to the corporate organization of railroads, now required by law to be filed in the office of the Secretary of State, shall be filed in the office of the Commissioner of Railroads instead. And the official certificate of such Commissioner of Railroads to copies of, or other matters of information with regard to all such articles of association, charters, or other documents appertaining to railroads, on file in his office, shall be received in all courts of record in this State, as good and sufficient evidence, in proof of the correctness of the same."

H. C. SPENCER, *Chairman.*

Report accepted.

The first three named bills were placed on the order of third reading of bills.

On motion of Mr. Spencer,

The Senate concurred in the amendments made by the committee to the second named bill, and the same was placed on the order of third reading of bills.

On motion of Mr. Spencer,

The Senate concurred in the recommendation of the committee concerning the third named bill, and the same was laid on the table.

On motion of Mr. Spencer,

The Senate concurred in the action of the committee concerning the fourth named bills, in striking out all after the enacting clause.

On motion of Mr. Spencer,

The titles and enacting clauses of the fourth named bills were laid on the table.

On motion of Mr. Spencer,

The Senate concurred in the action of the committee regarding the last named bill, and the proposed amendment was ordered printed in the Journal.

By unanimous consent,

The Senate returned to the order of

## MESSAGES FROM THE GOVERNOR.

EXECUTIVE OFFICE,  
*Lansing, April 8, 1885.* }

*To the Senate:*

In accordance with request made by your honorable body this day, I have the honor to return herewith Senate bill No. 152 (File No. 52,) being "An act to reincorporate the village of Roscommon."

Very respectfully,

GIL R. OSMUN,  
*Private Secretary.*

(By order of the Governor.)

On motion of Mr. Henry,

The bill was laid on the table.

On motion of Mr. Pennell,

The Senate adjourned.

*Lansing, Thursday, April 9, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.

Prayer by the Rev. Mr. Ford.

Roll called: a quorum present.

Absent without leave: Senator Hubbell.

Mr. Belknap asked and obtained leave of absence for Mr. Hubbell for the day.

## PRESENTATION OF PETITIONS.

No. 439. By Mr. Carpenter: Petition of C. Quirk, E. H. Parker, F. Grandy, and 143 other voters and 53 ladies of Fairfield, Lawrence county, for the submission of the prohibitory amendment at the next general election;

No. 440. By Mr. Manwaring: Petition of Henry Chapman, and 16 other citizens of Lapeer county, same object;

No. 441. By the same: Petition of J. R. Hodson and 8 other citizens of Attica, Lapeer county, same object;

No. 442. By the same: Petition of Henry Lee and 48 other citizens of Lapeer county, same object;

No. 443. By Mr. Curtiss: Petition of W. H. Ford and 51 others, same object;

No. 444. By Mr. Belknap: Petition of S. C. Wordall, John Morton and 75 others, of Orleans, Ionia county, same object;

No. 445. By the same: Petition of L. B. Bishop and 48 others of Bloomer, Montcalm county, same object;

No. 446. By Mr. Cline: Petition of D. Brown and 40 others of Kenoskee, St. Clair county, same object;

No. 447. By Mr. Cline: Petition of Rev. H. H. Andrews and 14 others of Brockway, St. Clair county, same object;

No. 448. By Mr. Henry: Petition of Mrs. Cynthia Mitheany and 27 other ladies of Cheboygan, same object;

No. 449. By Mr. Henry: Petition of Andrew Mitheany and 16 other citizens of Cheboygan, same object;

No. 450. By Mr. Edwards: Petition of E. F. Avery and 27 others of Crystal Valley, Oceana county, same object;

No. 451. By Mr. Kempf: Petition of W. A. McCorkle and 2 others, same object;

No. 452. By Mr. G. A. Smith: Petition of O. A. Jaynes and 130 other citizens of Hillsdale county, same object;

No. 453. By Mr. Hueston: Petition of J. N. Bishop and 151 others, same object;

No. 454. By the same: Petition of Dennis Sullivan and 49 others, same object;

No. 455. By Mr. Francis: Petition of Samuel Davidson and 14 others, same object;

No. 456. By Mr. Pennell: Petition of George E. Hollister and 20 others, same object;

No. 457. By Mr. Pennell: Petition of John C. Brunson and 99 others, same object;

No. 458. By Mr. Shoemaker: Petition of Burgen D. Christensen and 30 other citizens of Jackson county, same object;

No. 459. By Mr. Spencer: Petition of A. Gordon Cameron and 485 other voters in Genesee county, same object;

No. 460. By Mr. Hertzler: Petition of Israel Kinney and 26 others of Monroe county, same object;

No. 461. By Mr. Hertzler: Petition of J. J. Sumner and 21 others of Monroe county, same object;

No. 462. By Mr. Austin: Petition of J. M. Dolph and 30 others, same object;

No. 463. By Mr. Austin: Petition of W. J. Webster and 34 others, same object;

No. 464. By the same: Petition of E. R. Breakey and 16 others, same object;

No. 465. By the same; Petition of Mrs. C. B. Smith, Mrs. Ann B. Clark and 15 others, same object;

The 27 petitions were referred to the committee on liquor traffic.

No. 466. By Mr. Davenport: Petition of Jay Smith, E. L. Slawson, and 245 other citizens of Saginaw City, for the passage of the pharmacy bill;

No. 467. By Robert Stum and 61 others, same object;

No. 468. By Mr. Francis: Petition of B. Montague and 107 others, same object;

No. 469. By the same: Petition of A. W. Peck and 32 others, same object;

No. 470. By the same: Petition of S. C. Goodrich and 35 others, same object;

No. 471. By Mr. Edwards: Petition of M. R. Chadwick and 31 other citizens of Hart, Oceana county, same object;

The six petitions were referred to the committee on public school.

No. 472. By Mr. Henry: Petition of Philip O'Brien and 251 other citizens of Cheboygan, for a home for disabled soldiers, sailors, and marines in this State;

Referred to the committee on military affairs.

No. 473. By Mr. Francis: Remonstrance of T. A. Smith and 107 others against the passage of the skating rink bill;

No. 474. By Mr. Manwaring: Petition of H. R. Tucker and 10 other citizens of Romeo, Macomb county, asking for the passage of the minority bill;

On motion of Mr. Manwaring,

The petition was ordered printed in the Journal.

The following is the petition:

We are minority stockholders in the Legal Tender Wagon Spring Company, located at this place. Several of our citizens were induced to take stock in the company, believing the spring to be the best manufactured in the market. The company has been organized for some time, and has been manufacturing for the last year.

We minority people have been anxious to know something about the company, the cost of the springs manufactured, and sales made, etc., and examine the books of the company, but the manager absolutely refuses to let us see the books, or to give us any satisfactory information as to the condition of the company.

We therefore urge you to aid in passing the minority bill, so that we may have a representation on the board of directors, and be able to know something of the condition of the company and its management.

Referred to the committee on banks and incorporations.

No. 475. By Mr. Henry: Statement of voters, etc.

On motion of Mr. Henry the same was ordered printed in the Journal and referred to the committee on cities and villages.

The following is the statement:

Statement of votes given in the township of Oscoda, county of Iosco, State of Michigan, at the election held in said township, on Monday, the sixth day of April, A. D. 1885, for and against the proposed union of Oscoda and Au Sable:

The whole number of votes given for and against the proposed union was four hundred and eighty (480). And they were given, viz.:

Union of Oscoda and Au Sable, Yes, five, . . . . .	5
Union of Oscoda and Au Sable, No, three hundred and thirty, . . . . .	330
Union of Au Sable and Oscoda, including Packtown, under one village government, Yes, thirty-six, . . . . .	36
Union of Au Sable and Oscoda, including Packtown, under one city government, Yes, one hundred and nine, . . . . .	109
Total . . . . .	480

STATE OF MICHIGAN, } ss.  
COUNTY OF OSCODA, }

We do hereby certify that the foregoing is a correct statement of the votes given in the township of Oscoda, county of Iosco, State of Michigan, for and against the union of Oscoda and Au Sable at the annual election held in said township on Monday, the sixth day of April, in the year one thousand eight hundred and eighty-five.

In witness whereof we have hereunto set our hands in duplicate, at Oscoda, in said county and State, this seventh day of April, A. D. 1885.

GEORGE HILL,  
ELMER G. RIX,  
J. H. HANFORD,  
*Inspectors of Election.*

No. 476. By Mr. Belknap: Thirteen petitions in favor of municipal suffrage for women, to-wit:

- Petition of Mrs. W. A. Poots and 28 others, of Benton Harbor;
  - Petition of Mrs. J. D. Ashbaugh and the officers of Hillsdale W. C. T. U.;
  - Petition of Mrs. F. A. Rowley and 12 others, of North Adams;
  - Petition of Mrs. W. S. Sly and the officers of the Jackson W. C. T. U.;
  - Petition of Mrs. E. C. Sherman and the officers of the W. C. T. U. of Carson City;
  - Petition of Mrs. C. H. Johnson and officers of the Flint W. C. T. U.;
  - Petition of Mrs. L. M. Beattie and 11 others, of Keeleraville;
  - Petition of Mrs. Norman Bailey and officers of the Hastings W. C. T. U.;
  - Petition of Mrs. W. Crawford and 9 others, of Milford;
  - Petition of Mrs. M. B. Armstrong and officers of the Bridge street W. C. T. U. of Grand Rapids;
  - Petition of Mrs. S. H. Ford and officers of Bellevue W. C. T. U.;
- The eleven petitions were referred to the committee on the judiciary.

#### REPORTS OF STANDING COMMITTEES.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred Senate bill No. 282, entitled

A bill to amend the charter of the city of Ann Arbor,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

House joint resolution No. 31 (File No. 16), entitled

Joint resolution authorizing the Governor to issue a patent to Chester C. Morton, of Cass county, for the east  $\frac{1}{4}$  of the southeast fractional  $\frac{1}{4}$  of section 16, in township 5 south, of range number 15 west, in Cass county, the same being primary school lands,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. MANWARING, *Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole and placed on the general order.

By the committee on fisheries:

The committee on fisheries, to whom was referred

House bill No. 100 (File No. 50), entitled

A bill to establish a State Board of Fish Commissioners, and to repeal act No. 124, session laws of 1873, act No. 71, session laws of 1875, and act No. 3, session laws of 1882.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

R. KEMPF, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kempf,

The Senate concurred in the amendments made by the committee to the bill.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate bill No. 194 (File No. 112), entitled

A bill to amend sections 3, 5, 6, 8, and 13 of chapter 4, section 2 of chapter 5, section 4 of chapter 6, sections 11 and 22 of chapter 17, section 2 of chapter 20, section 7 of chapter 22, and section 1 of chapter 23, of an act entitled "An act to incorporate the city of Kalamazoo," and to repeal an act entitled "An act to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts," approved March 15, 1861, as amended by the several acts amendatory thereof, and to add four new sections thereto to be known as section 5 of chapter 6, section 6 of chapter 8, and sections 29 and 30 of chapter 17;

Also,

Senate bill No. 320 (File No. 98), entitled

A bill to amend section 10 of act number 164 of the public acts of 1877, approved May 21, 1877, being an act entitled "An act to authorize cities, incorporated villages and townships, to establish and maintain free public libraries and reading rooms," being section 5184 of Howell's Annotated Statutes.

J. W. BELKNAP, *Chairman.*

Report accepted.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 8, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 99 (File No. 216), entitled

A bill to amend section four of an act entitled "An act to protect fish and preserve fisheries in this State," approved March 21, 1865, act No. 350, session laws of 1865, being section 2166 of Howell's Annotated Statutes,

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on fisheries.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 9, 1885.*

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following bills :

1. House bill No. 684 (File No. 260), entitled

A bill to require prosecuting attorneys in each county to furnish the Attorney General with a statement of the case and briefs in all criminal cases and other proceedings removed from their counties to the Supreme Court;

2. House bill No. 430 (File No. 248), entitled

A bill to amend section 1 of chapter 4 of act No. 164, Session Laws of 1881, being compiler's section 5078 of Howell's Annotated Statutes of 1882, as amended by act No. 9, Session Laws of 1883, relative to the organization of township boards of school inspectors;

3. House bill No. 83 (File No. 256), entitled

A bill to define the qualifications of deputy sheriffs and under sheriffs to be hereafter appointed in this State;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on education and public schools.

The third named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 9, 1885.*

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following bills :

1. House bill No. 460 (File No. 249), entitled

A bill to protect defendants in actions when they have given notice of set-off;

2. House bill No. 348 (File No. 253), entitled

A bill to provide for the collection of aparian statistics;

3. House bill No. 388 (File No. 246), entitled

A bill to provide for the retirement of aged and disabled firemen and the payment of pensions to the wives and children of deceased firemen killed in the service of the city of Detroit;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on agricultural interests.

The third named bill was read a first and second time by its title and referred to the committee on cities and villages.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 9, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following entitled bill:

Senate bill No. 2, entitled

A bill to repeal act 122 of the session laws of 1869, entitled "An act to amend sections 1 and 3 of act No. 76 of the session laws of 1867, being an act entitled 'An act to provide for the appointment of a commissioner to be known as the Swamp Land State Road Commissioner,' approved March 21, 1867," also act 182 of the session laws of 1875, entitled "An act to amend sections 1 and 17 of an act to create a board of State swamp land commissioners, and to repeal act 76 of the session laws of 1867, being sections 4003 to 4019, both inclusive, of the compiled laws of 1871," and the several acts amendatory thereof, and to transfer the duties of said office to the commissioner of the State land office;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take effect July 1, 1885, by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 9, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to request the return of the following bill:

Senate bill No. 152 (File No. 54), entitled

A bill to re-incorporate the village of Roscommon, Roscommon county.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

Mr. Francis moved to take from the table the above named bill;

Which motion prevailed.

On motion of Mr. Francis,

The request of the House was granted.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 9, 1885. }

*To the President of the Senate!*

SIR—I am instructed by the House to transmit the following bill:

1. House bill No. 477 (File No. 177), entitled

A bill to authorize the Kent County Agricultural Society to dispose of certain property and invest the proceeds;

2. House joint resolution No. 27 (File No. 14), entitled

Joint resolution to define the methods of securing the doors of the rooms in which inmates are confined at the Industrial Home for Girls, and to provide for fire escapes at said Industrial Home for Girls;



3. House bill No. 299 (File No. 184), entitled

A bill to amend sections 1, 2, 3, 7, 9 and 12 of act No. 344 of the session laws of 1871, entitled "An act relative to free schools in the city of Grand Rapids," approved March 15, 1871, as amended by an act approved April 24, 1875, as amended by act approved May 9, 1877, as amended by act approved May 3, 1879, and as further amended by act approved March 16, 1881, and to add a new section to the act to stand as section 23;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on agricultural interests.

The second named joint resolution was read a first and second time by its title, and referred to the committee on industrial home for girls.

The third named bill was read a first and second time by its title, and referred to the committee on education and public schools.

MOTIONS AND RESOLUTIONS.

Mr. Edwards offered the following resolution:

*Resolved*, That S. B. McCracken, clerk of the special committee on election laws, be and he is hereby assigned as clerk of the special committees on drainage and apportionment on behalf of the Senate.

On motion of Mr. Pulver,

The resolution was laid on the table.

Mr. Cline moved to take from the table

House bill No. 183 (File No. 73) entitled

A bill to amend and revise the charter of the city of Port Huron.

Which motion prevailed.

Mr. Cline moved to suspend the rules, so as to reconsider the vote by which the bill passed;

Which motion prevailed.

Mr. Cline moved to reconsider the vote by which the Senate passed the bill;

Which motion prevailed.

On motion of Mr. Cline,

The bill was referred to the committee on State affairs.

Mr. Hawley offered the following resolution:

*Resolved*, That when the Senate adjourns Saturday, April 11, it stand adjourned until Tuesday, April 14, at 2 o'clock P. M.

Mr. Sherwood moved that the resolution be laid on the table.

Mr. Hertzler called for the yeas and nays.

The motion then prevailed, by yeas and nays as follows:

YEAS.

Mr. Austin,  
Belknap,  
Brown,  
Carveth,  
Curtiss,

Mr. Davenport,  
Davis,  
Edwards,  
Francis,

Mr. Heisterman,  
Hueston,  
Kempf,  
Monroe,

Mr. Moon,  
Phelps,  
Sherwood,  
Smith, G. A.,

## NAYS.

Mr. Carpenter, Oline, Greiner,	Mr. Hawley, Hertzler,	Mr. Manwaring, Pennell,	Mr. Pulver, Spencer,
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## THIRD READING OF BILLS

Senate bill No. 316 (File No. 135), entitled

A bill to amend section 2 of act No. 27 of the session laws of 1882, approved March 15, 1882, entitled "An act to provide for the incorporation of the Grand Council of the Royal Templars of Temperance, and any select council of the order in the State of Michigan,"

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin, Belknap. Brown, Carpenter, Carveth, Cline,	Mr. Curtiss, Davenport, Davis, Edwards, Francis, Hueston,	Mr. Kempf, Manwaring, Monroe, Moon, Pennell, Phelps,	Mr. Pulver, Sherwood, Shoemaker, Smith, G. A., Spencer,
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23

## NAYS.

Mr. Greiner,	Mr. Hawley,	Mr. Heisterman,
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3

Title agreed to.

Senate bill No. 383 (File No. 137), entitled

A bill to authorize and empower the board of supervisors of Jackson county and the Jackson county agricultural society to sell the grounds in the city of Jackson known as the fair grounds, and to purchase other grounds to be used as public grounds and grounds for holding agricultural and other fairs.

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin, Belknap, Brown, Carpenter, Carveth, Oline, Curtiss,	Mr. Davenport, Davis, Edwards. Francis, Greiner, Hawley, Heisterman,	Mr. Hertzler, Hueston, Kempf, Manwaring, Monroe, Moon,	Mr. Pennell, Phelps, Pulver, Sherwood, Shoemaker, Spencer,
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26

## NAYS.

0

Title agreed to.

On motion of Mr. Shoemaker,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 112 (File No. 142), entitled

A bill to amend compiler's section 7508, being section 78, chapter 262 of Howell's Statutes, relative to the taking of depositions to be used in judicial proceedings in this State,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Heisterman,	Mr. Moon,
Belknap,	Davis,	Hertzler,	Pennell,
Brown,	Edwards,	Hueston,	Phelps,
Carpenter,	Francis,	Kempf,	Sherwood,
Carveth,	Greiner,	Manwaring,	Shoemaker,
Cline,	Hawley,	Monroe,	Spencer,
Curtis,			

25

## NAYS.

0

Title agreed to.

Senate bill No. 219 (File No. 136), entitled

A bill to amend sections 8 and 75 of chapter 10 of the compiled laws of 1871, being compiler's sections 480 and 585 of Howell's Annotated Statutes, with reference to county officers,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent, Mr. Pulver moved to amend the bill as follows:

By striking out in section 75, line 6, the word "such," and inserting in lieu thereof the word "male."

Which motion prevailed and the bill was so amended.

The bill as amended was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Cline,	Mr. Francis,	Mr. Moon,
Belknap,	Curtiss,	Heisterman,	Phelps,
Brown,	Davenport,	Hertzler,	Pulver,
Carpenter,	Davis,	Manwaring,	Sherwood,
Carveth,	Edwards,	Monroe,	Spencer,

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## NAYS.

Mr. Greiner,	Mr. Hueston,	Mr. Pennell,	Mr. Smith, G. A.,
Hawley,	Kempf,		

6

The question being on agreeing to the title,

Mr. Phelps moved to amend the title so as to read as follows:

A bill to amend section 75 of chapter 10, of the compiled laws of 1871, being compiler's section 585 of Howell's Annotated Statutes, with reference to county officers;

Which motion prevailed.

The title as amended was then agreed to.

Senators Hawley, Cline, and Pulver asked and obtained leave of absence until Monday, April 13.

## GENERAL ORDER.

On motion of Mr. Hawley,

The Senate went into committee of the whole on the general order,

Mr. Cline in the chair.

After some time spent therein, the committee rose, and, through their chairman made the following report:

## I.

The committee of the whole have had under consideration the followin :  
Senate bill No. 344 (File No. 148), entitled

A bill to amend section 107 of chapter 14 of the revised statutes of 1846, being section 597 of the compiled laws of 1871, and section 626 of Howell's Annotated Statutes, relative to the appointment of Notaries Public;

Senate bill No. 223 (File No. 99), entitled

A bill to establish and maintain a free public library in the city of Jackson;

Senate bill No. 242 (File No. 149), entitled

A bill to amend section 2 of chapter 4 of act No. 326 of the session laws of 1883, entitled 'An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith,' approved June 7, 1883;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate and recommend their passage.

## II.

The committee of the whole have also had under consideration the following:

Senate bill No. 384 (File No. 111), entitled

A bill to amend sections 4, 5, and 6 of act 198, of the session laws of 1877, approved May 23, 1877, as amended by act 283 of the session laws of 1881, approved June 11, 1883, entitled "An act to amend sections 5 and 6 of act No. 198 of the session laws of 1877, being an act entitled 'An act to provide for a tax upon dogs, and create a fund for the payment in certain damages for sheep killed or wounded in certain cases,'" approved May 23, 1878, and to add a new section thereto to stand as section 10;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

## III.

The committee of the whole have also had under consideration the following:

Senate bill No. 119 (File No. 146), entitled

A bill to amend section 553 of the compiled laws of 1871, being section 580 of Howell's Annotated Statutes, in relation to the appointment of deputy sheriffs.

Have stricken out all after the enacting clause thereof, and ask the concurrence of the Senate in their action.

W. M. CLINE, *Chairman.*

Report accepted and committee discharged.

The first named bills were placed on the order of third reading of bills.

On motion of Mr. Pennell,

The Senate concurred in the amendments made by the committee to the second named bill, and the same was placed on the order of third reading of bills.

On motion of Mr. Cline,

The Senate concurred in the action of the committee of the whole in striking out all after the enacting clause of the third named bill.

On motion of Mr. Cline,

The title and enacting clause were laid on the table.

Mr. Manwaring asked and obtained leave of absence for himself until Monday, April 13.

On motion of Mr. Hertzler,

The Senate adjourned.

*Lansing, Friday, April 10, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.

Prayer by the Rev. Mr. Brown.

Roll called : a quorum present.

Absent without leave: Senator Pennell.

On motion of Mr. Greiner,

Leave of absence was granted to Mr. Pennell for the day.

#### PETITIONS.

No. 477. By Mr. Edwards: Petition of E. M. Stephenson and 8 others of Pentwater, Oceana county, asking for the submission of the prohibitory constitutional amendment to the people;

No. 478. By the same: Petition of L. M. Hartwick and 42 others of Pentwater, same object;

No. 479. By the same: Petition of William Coulter and 209 other citizens of Hesperia, Oceana county, same object;

No. 480. By the same: Petition of J. H. Edwards and 113 others, citizens of Newaygo county, same object;

No. 481. By the same: Petition of Caleb Davis and 78 others of Mears, Oceana county, same object;

No. 482. By the same: Petition of J. S. Miller and 62 other voters of Ashland, Newaygo county, same object;

No. 483. By Mr. Belknap: Petition of G. W. Benjamin, and 49 others, of Lyons, Ionia county, same object;

No. 484. By Mr. Brown: Petition of John Anderson, H. I. Allen, and 82 other voters of Schoulercraft, Kalamazoo county, same object;

No. 485. By Mr. Brown: Petition of James Holmes, and 62 others, of Parkville, St. Joseph county, same object;

No. 486. By Mr. Brown: Petition of W. H. Baldwin, and 65 other citizens of Cooper, Kalamazoo county, same object;

No. 487. By Mr. Francis: Petition of Mrs. E. J. Coulter, and 14 other citizens of Central Lake, Antrim county, same object;

No. 488. By Mr. Francis: Petition of G. M. Clow, and 51 other citizens of the same place, same object;

No. 489. By Mr. Francis: Petition of S. P. Hewett, and 47 other citizens of Fyfe Lake, Grand Traverse county, same object;

No. 490. By the same: Petition of Ettie E. Hodges, and 59 others, of Fyfe Lake, same county, same object;

No. 491. By the same: Petition of C. F. Lancaster, and 27 other citizens of same place, same object;

No. 492. By the same: Petition of C. E. Wright and 48 other citizens of Antrim county, same object;

No. 493. By Mr. Moon: Petition of J. A. Keys and 119 others, of Montague, same object;

No. 494. By the same: Petition of Louis Cooper and 77 others, of Byron Center, same object;

No. 495. By Mr. Monroe: Petition of O. Woodard and 45 others, of Plainwell, Allegan county, same object;

No. 496. By the same: Petition of J. M. Clapp and 53 others, of Gunn Plains, Allegan county, same object;

No. 497. By the same: Petition of Anson Goss, A. B. Chase, and 140 others, of Bangor, Van Buren county, same object;

No. 498. By Mr. Puiver: Petition of P. Hoard and 47 other citizens of Unadilla, Livingston county, same object;

No. 499. By Mr. Phelps: Petition of Henry Gillmore, William Austin, and 75 other voters of Mecosta county, same object;

No. 500. By the same: Petition of Seth O. Mansfield and 27 other voters of Osceola township, Osceola county, same object;

No. 501. By Mr. S. W. Smith: Petition of James M. Corner and 79 others of Oakland county, same object;

No. 502. By the same: Petition of John West and 26 others, of Clarkston, Oakland county, same object;

No. 503. By Mr. Hertzler: Petition of A. Whitcomb, and 70 others, of Monroe county, same object;

No. 504. By Mr. Carpenter: Petition of B. T. Bailey and 120 others, of Lenawee county, same object;

No. 505. By Mr. Henry: Petition of O. D. Raymond and 125 others, same object;

The 29 petitions were referred to the committee on liquor traffic.

No. 506. By Mr. S. W. Smith: Petition of G. C. Gibbs and 21 others, of Oakland county, for the passage of a law so that all moneys collected from the tax on the manufacture and sale of liquor, shall be appropriated for the support of the township and county poor and public schools;

Referred to the committee on the liquor traffic.

No. 507. By Mr. Austin: Petition of Charles A. Young and 56 others, in favor of the pharmacy bill;

Referred to the committee on public health.

No. 508. By Mr. S. W. Smith: Petition of Dwight Peebles and 183 others of South Lyon, Oakland county, for the passage of a law prohibiting the manufacture and sale of oleomargarine and butterine;

Referred to the committee on State affairs.

No. 509. By Mr. Francis: Petition of J. S. McClear and 37 other citizens of Missaukee county for the passage of the minority bill;

No. 510. By Mr. Belknap: Petition of E. F. Grabill and 98 others of Montcalm county, same object;

The two bills were referred to the committee on banks and incorporations.

No. 511. By Mr. Phelps: Resolutions passed by the Teachers' Institute of Manistee county, in favor of a law organizing township school districts.

On motion of Mr. Phelps,

The resolutions were ordered printed in the Journal.

The following are the resolutions:

*Manistee, Mich., April 3, 1885.*

At the meeting of the Manistee County Teachers' Institute, held in this city March 30 to April 3, 1885, the following resolutions were unanimously adopted:

*Resolved*, That we, the teachers of Manistee county, believe the passage of a law organizing township school districts would advance the cause of education in the rural schools of Michigan; and, therefore,

*Resolved*, That we respectfully ask the Senator and Representative from this district to use their influence for the passage of such a law.

WEBSTER COOK, *Secretary*.

#### REPORTS OF STANDING COMMITTEES.

By the committee on railroads:

The committee on railroads, to whom was referred

Senate bill No. 332 (File No. 70), entitled

A bill to regulate the passenger and freight tariff, to provide for a uniform classification of freights and maximum freight rates, and to prevent unjust discrimination in charges of toll or compensation for the transportation of passengers or freights upon the railroads in this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended be re-printed and re-referred to the committee.

CHAS. AUSTIN, *Chairman*.

Report accepted.

On motion of Mr. Austin,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered reprinted, and re-referred to the committee.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 105, entitled

A bill to authorize the specific performance by guardians of insane and incompetent persons, of contracts made by their wards, for the conveyance of real estate,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 206, entitled

A bill to amend section 708 of the compiled laws of 1871, being sections 746 of Howell's Annotated Statutes, relative to the powers and duties of townships, and election, and duties of township officers,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary to whom was referred

Senate bill No. 220, entitled

A bill to amend chapter 257 of the compiled laws of 1871, with reference to convicts serving sentence in county jails, by adding a new section to stand as section 23,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The further consideration of the bill was indefinitely postponed.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 238, entitled

A bill to authorize the holding of terms of the circuit court within the township of Brighton, Menominee county,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public health:

The committee on public health, to whom was referred

House bill No. 349 (File No. 166), entitled

A bill to amend section 6 of chapter 46 of the compiled laws of 1871, being compiler's section 1638 of Howell's Annotated Statutes of Michigan for 1882, relative to burial grounds,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES HUESTON, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

House bill No. 654 (File No. 205), entitled



A bill to provide for keeping in repair a certain State road in St. Clair county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

MICHAEL GREINER, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

Senate bill No. 116, entitled

A bill to repeal act No. 179 of public acts of 1883, entitled "An act to regulate the width of wagon tires to be used on lumber wagons,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

MICHAEL GREINER, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committees on asylums for the insane and appropriations and finance:

The committees on asylums for the insane and appropriations and finance, to whom was jointly referred

House bill No. 283 (File No. 238), entitled

A bill making an appropriation for building a kitchen containing lodging rooms for employes, and for building an infirmary and heating the same, at the Michigan Asylum for the Insane,

Respectfully report that they have had the same under consideration, and have directed us to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. C. SPENCER,

*Chairman Committee on Asylums for the Insane.*

GEO. A. SMITH,

*Chairman Committee on Appropriations and Finance.*

Report accepted and committees discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committees on asylums for the insane and appropriations and finance:

The committees on asylums for the insane, and appropriations and finance, to whom was jointly referred

Senate bill No. 171, entitled

A bill making an appropriation for the erection of two infirmary buildings at the Eastern Michigan Asylum at Pontiac,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the

bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

H. O. SPENCER,

*Chairman Committee on Asylums for the Insane.*

GEO. A. SMITH,

*Chairman Committee on Appropriations and Finance.*

Report accepted and committees discharged.

On motion of Mr. Spencer,

The Senate concurred in the amendments made to the bill by the committees.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committees on asylums for the insane and appropriations and finance:

The committees on asylums for the insane and appropriations and finance, to whom was jointly referred

Senate bill No. 148, entitled

A bill authorizing and empowering the trustees of the Michigan Asylum for the Insane to purchase a tract of land lying north and east of the land now owned by the State and occupied by the asylum,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do lie on the table, and ask to be discharged from the further consideration of the subject.

H. O. SPENCER,

*Chairman Committee on Asylums for the Insane.*

GEO. A. SMITH,

*Chairman Committee on Appropriations and Finance.*

Report accepted and committee discharged.

On motion of Mr. Spencer,

The bill was laid on the table.

By the committees on State public school and appropriations and finance:

The committees on State public school and appropriations and finance, to whom was jointly referred

House bill No. 27 (File No. 109), entitled

A bill making an appropriation for the support of the State Public School, and for making improvements at that institution,

Respectfully report that they have had the same under consideration and have directed us to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

O. R. HENRY,

*Chairman of Committee on State Public School.*

GEO. A. SMITH,

*Chairman Committee on Appropriations and Finance.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 22 (File No. 11), entitled

A bill to amend sections 1442, 1443, 1445, and 1446 of Howell's Annotated Statutes, being sections 1, 2, 4, and 5 of act No. 244 of the session laws of 1879, entitled "An act for the collection of damages sustained by reason

of defective public highways, streets, bridges, cross-walks, and culverts," so as to make said act cover damages sustained by reason of defective sidewalks, Together with certain proposed amendments to said bill,

Respectfully report that they have had said bill and proposed amendments under consideration, and have directed me to report said bill back to the Senate, and recommend that the said proposed amendments, after certain amendments thereto made by the committee are concurred in, be adopted as a substitute for said bill, and that such substitute do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the proposed amendments referred to by the committee, and in the adoption of the same as a substitute for the bill.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate manuscript bill No. 2, entitled

A bill to repeal act 122 of the session laws of 1869, entitled "An act to amend sections 1 and 3 of act No. 76 of the session laws of 1867, being an act entitled 'An act to provide for the appointment of a commissioner to be known as the Swamp Land State Road Commissioner,' approved March 21, 1867," also act 182 of the session laws of 1875, entitled "An act to amend sections 1 and 17 of an act to create a board of State swamp land commissioners, and to repeal act 76 of the session laws of 1867, being acts 4003 to 4019, both inclusive, of the compiled laws of 1871," and the several acts amendatory thereof, and to transfer the duties of said office to the commissioner of the State land office;

J. W. BELKNAP, *Chairman.*

Report accepted.

#### MESSAGE FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICE,  
Lansing, April 9, 1885. }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State:

[Senate bill No. 404 (File No. 77), being]

An act for the rebuilding, repair, and preservation of the bridges across the Au Sable river within the boundaries of the county of Oscoda, and providing for the election of a county bridge commissioner;

Also,

[Senate bill No. 194 (File No. 112), being]

An act to amend sections 3, 5, 6, 8, and 13 of chapter 4, section 2 of chapter 5, section 4 of chapter 6, section 1 of chapter 9, sections 11 and 23 of chapter 17, section 2 of chapter 20, section 7 of chapter 22, section 1 of chapter 23, and section 9 of chapter 27, of an act entitled "An act to incorporate the city of Kalamazoo, and to repeal an act entitled 'An act to re-incorporate the village of Kalamazoo, and to repeal all inconsistent acts and parts of acts,'" approved

March 15, 1861, as amended by the several acts amendatory thereof, and to add four new sections thereto to be known as section 5 of chapter 6, section 6 of chapter 8, and sections 29 and 30 of chapter 17;

Also,

[Senate bill No. 320 (File No. 98), being]

An act to amend section 10 of act No. 164, of the public acts of 1877, approved May 21, 1877, being an act entitled "An act to authorize cities, incorporated villages, and townships to establish and maintain free public libraries and reading rooms," being section 5184 of Howell's Annotated Statutes;

Also,

[Senate bill No. 2, being]

An act to repeal act 122 of the session laws of 1869, entitled "An act to amend sections 1 and 3 of act No. 76 of the session laws of 1867, being an act entitled 'An act to provide for the appointment of a commissioner to be known as the Swamp Land State Road Commissioner,' approved March 21, 1867," also act 182 of the session laws of 1875, entitled "An act to amend sections 1 and 17 of an act to create a board of State Swamp Land Commissioners, and to repeal act 76 of the session laws of 1867, being sections 4003 to 4019, both inclusive, of the compiled laws of 1871," and the several acts amendatory thereof, and to transfer the duties of said office to the Commissioner of the State Land Office,

RUSSELL A. ALGER,  
*Governor.*

The message was laid on the table.

#### MESSAGES FROM THE HOUSE.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 9, 1885. }*

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 739, entitled

A bill empowering the township of Leslie, in the county of Ingham, to bond the township to the amount of not exceeding \$20,000 for the purpose of making public improvements in said township;

2. House bill No. 655 (File No. 301), entitled

A bill to amend section 1 of article 2, section 2 of article 3, section 7 of article 6, and section 1 of article 25, of act No. 257 of the session laws of Michigan of 1873, approved April 18, 1873, entitled "An act to incorporate the village of South Lyon," and to add a new article thereto, to be called article 29;

3. House bill No. 391 (File No. 318), entitled

A bill to organize the union school district of the village of Salem,

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The second named bill was read a first and second time by its title, and On motion of Mr. S. W. Smith,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Curtiss,	Mr. Hubbell,	Mr. Sherwood,
Belknap,	Davenport,	Monroe,	Smith, S. W.,
Brown,	Edwards,	Moon,	Spencer,
Carpenter,	Francis,	Phelps,	Woodruff,
Carveth,			

17

## NAYS.

Mr. Greiner,	Mr. Smith, G. A.,	2
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Title agreed to.

On motion of Mr S. W. Smith,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The third named bill was read a first and second time by its title, and

On motion of Mr. Kempf,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hubbell,	Mr. Sherwood,
Belknap,	Edwards,	Hueston,	Shoemaker,
Brown,	Francis,	Kempf,	Smith, G. A.,
Carpenter,	Greiner,	Mouroe,	Smith, S. W.,
Carveth,	Heisterman,	Moon,	Spencer,
Curtiss,	Henry,	Phelps,	Woodruff,
Davenport,	Hertzler,		

26

## NAYS.

0

Title agreed to.

On motion of Mr. Kempf,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 10, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following entitled bill:

Senate bill No. 234 (File No. 101), entitled

A bill to amend section 2 of an act entitled "An act to authorize the formation of county and town agricultural societies," approved February 12, 1855, and amended by act 228 of laws of 1881, being section 2169 of the compiled laws of 1871, the same being section 2304 of Howell's Annotated Statutes,

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 10, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 291 (File No. 204), entitled

A bill to connect the State House of Correction and Reformatory and the Asylum for Insane Criminals at Ionia, with the Ionia city water-works;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committees on State House of Correction and appropriations and finance jointly.

#### MOTIONS AND RESOLUTIONS.

Mr. Sherwood offered the following resolution:

*Resolved*, That when the Senate adjourns on Saturday, the 11th inst., it shall stand adjourned until Monday, April 13, at 10 o'clock A. M., and that the daily sessions shall thereafter commence at 10 o'clock, until otherwise ordered.

On motion of Mr. Hubbell,

The resolution was laid on the table.

Mr. Monroe moved that the vote be reconsidered by which the Senate concurred in the action of the committee of the whole on the 8th inst., in striking out all after the enacting clause of

Senate bill No. 192 (File No. 131), entitled

A bill to provide for a deputy attorney general for the office of Attorney General at Lansing;

Which motion prevailed.

The question being on concurring in the action of the committee of the whole,

On motion of Mr. Monroe,

The bill was laid on the table.

Mr. Carveth moved to take from the table

House bill No. 22 (File No. 93), entitled

A bill to provide for a uniform system of examination of teachers for the county of Alpena;

Which motion prevailed.

On motion of Mr. Carveth,

The bill was recommitted to the committee on education and public schools.

## THIRD READING OF BILLS.

Senate bill No. 223 (File No. 99), entitled

A bill to establish and maintain a free public library in the city of Jackson,  
 Was read a third time and passed, a majority of all the Senators elect  
 voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hertzler,	Mr. Phelps,
Belknap,	Edwards,	Hueston,	Sherwood,
Brown,	Francis,	Kempf,	Shoemaker,
Carpenter,	Greiner,	Monroe,	Smith, S. W.,
Carveth,	Heisterman,	Moon,	Spencer,
Davenport,			

21

## NAYS.

0

Title agreed to.

On motion of Mr. Shoemaker,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take  
 immediate effect.

Senate bill No. 242 (File No. 149), entitled

A bill to amend section 2 of chapter 4 of act No. 326 of the session laws of  
 1888, entitled "An act to provide a charter for the city of Detroit, and to  
 repeal all acts and parts of acts in conflict therewith," approved June 7,  
 1883,

Was read a third time and passed, a majority of all the Senators elect vot-  
 ing therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Henry,	Mr. Sherwood,
Belknap,	Davis,	Hertzler,	Shoemaker,
Brown,	Edwards,	Hueston,	Smith, G. A.,
Carpenter,	Francis,	Kempf,	Smith, S. W.,
Carveth,	Greiner,	Monroe,	Spencer,
Curtiss,	Heisterman,	Phelps,	Woodruff,

24

## NAYS.

0

Title agreed to.

Senate bill No. 344 (File No. 148), entitled

A bill to amend section 107 of chapter 14 of the revised statutes of 1846,  
 being section 597 of the compiled laws of 1871, and section 626 of Howell's  
 Annotated Statutes, relative to the appointment of Notaries Public,

Was read a third time and not passed, a majority of all the Senators elect not  
 voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Curtiss,	Mr. Kempf,	Mr. Shoemaker,
Belknap,	Edwards,	Monroe,	Smith, S. W.,
Brown,	Hueston,	Sherwood,	Spencer,
Carveth,			

13

## NAYS.

Mr. Davenport,	Mr. Henry,	Mr. Phelps,	Mr. Smith, G. A.,
Davis,	Hubbell,	Pulver,	Woodruff,
Heisterman,			

9

Senate bill No. 384 (File No. 111), entitled

A bill to amend sections 4, 5, and 6 of act 198, of the session laws of 1877, approved May 23, 1877, as amended by act 283 of the session laws of 1881, approved June 11, 1883, entitled "An act to amend sections 5 and 6 of act No. 198 of the session laws of 1877, being an act entitled 'An act to provide for a tax upon dogs, and create a fund for the payment of certain damages for sheep killed or wounded in certain cases,'" approved May 23, 1878, and to add a new section thereto to stand as section 10,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent,

Mr. Hubbell moved to amend the bill as follows:

By adding the following to the bill:

*And provided further,* That no payment of loss shall be made to any person residing in any township or city in which no dog tax shall have been collected for that year, nor shall said township or city be entitled to any portion of the balance of money to be distributed as provided in this act.

By unanimous consent, Mr. Henry moved to further amend the amendment as follows:

By adding the following:

*Provided, further,* That in the town of Watervliet, Berrien county, all moneys collected under the provisions of this act be expended for the purchase of traps, pit-falls, and fish-hooks for the catching of dogs addicted to living on sheep in said town;

Which motion did not prevail.

The motion to amend then prevailed.

By unanimous consent Mr. Hertzler moved to further amend the bill as follows:

By adding the following:

"Provided that the provisions of this act shall not apply to Monroe county;"

Which motion did not prevail.

The bill was then not passed, a majority of all the Senators elect not voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Curtiss,	Mr. Hubbell,	Mr. Phelps,
Carpenter,	Davis,	Hueston,	Pulver,
Carveth,	Greiner,	Moon,	Shoemaker, 12

#### NAYS.

Mr. Belknap,	Mr. Francis,	Mr. Kempf,	Mr. Smith, G. A.,
Brown,	Heisterman,	Monroe,	Smith, S. W.,
Davenport,	Henry,	Sherwood,	Woodruff,
Edwards,	Hertzler,		14

#### GENERAL ORDER.

On motion of Mr. Monroe,

The Senate went into committee of the whole on the general order,

Mr. Henry in the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following:

Senate bill No. 197 (File No. 151), entitled



A bill to amend section 2 of act No. 108 of the session laws of 1871, as amended, being compiler's section 4207 of Howell's Annotated Statutes,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

C. R. HENRY, *Chairman.*

Report accepted.

Mr. Shoemaker moved that the Senate concur in the amendments made by the committee to the bill,

Mr. Edwards called for the yeas and nays.

The motion then prevailed, by yeas and nays as follows:

YEAS.

Mr. Belknap,	Mr. Davis,	Mr. Hertzler,	Mr. Pulver,
Brown,	Greiner,	Hueston,	Sherwood,
Carpenter,	Heisterman,	Kempf,	Shoemaker,
Davenport,	Henry,	Phelps,	Smith, G. A., 16

NAYS.

Mr. Austin,	Mr. Edwards,	Mr. Moon,	Mr. Spencer,
Carveth,	Francis,	Smith, S. W.,	Woodruff,
Curtiss,	Hubbell,		

10

The bill was then placed on the order of third reading of bills.

On motion of Mr. Shoemaker,

Leave of absence was granted to himself until Tuesday's session.

On motion of Mr. Greiner,

Leave of absence was granted to himself until Tuesday's session.

On motion of Mr. Austin,

The Senate adjourned until to-morrow morning at 10 o'clock.

*Lansing, Saturday, April 11, 1885.*

The Senate met and was called to order by the President *pro tem.* at 10 o'clock A. M.

Prayer by the Rev. Mr. Thompson.

Roll called: a quorum present.

Absent without leave: Senators Pennell and G. A. Smith.

On motion of Mr. Hueston,

Leave of absence at will was granted to Mr. Pennell on account of sickness.

On motion of Mr. Kempf,

Leave of absence was granted to Mr. G. A. Smith for the day.

PRESENTATION OF PETITIONS.

No. 512. By Mr. S. W. Smith: Petition of E. Doherty, L. Chandler, and 90 others, of White Lake, Oakland county, for the submission of the prohibitory amendment at the next general election;

No. 513. By the same: Petition of Mrs. E. G. Peck, Rev. J. M. Gelston, Wm. F. Jackson, and 100 others, of Pontiac, Oakland county, same object;

No. 514. By the same: Petition of R. S. Howard and 42 others, of Walled Lake, Oakland county, same object;

No. 515. By Mr. Henry: Petition of Albert W. Kincaid, Rev. Watson Young, and 79 others, of Allis, Presque Isle county, same object;

No. 516. By Mr. Sherwood: Petition of 216 citizens of Berrien county, same object;

No. 517. By Mr. Francis: Petition of O. G. Williams and 25 other citizens of Grand Traverse county, same object;

No. 518. By Mr. Woodruff: Petition of George Abbey and 33 other voters of Midland City, same object;

No. 519. By the same: Petition of Thomas Budd and 39 other voters of Hayes township, Clare county, same object;

No. 520. By Mr. Carveth: Petitions of I. C. Wells, Rev. W. I. Cogshall, Asa K. Warren, Mary Ely, Frank Clay, and 245 others, of Eaton county, same object;

No. 521. By the same: Petition of M. N. Jordan, A. J. Chappell, W. E. Keeler, and 250 others, of Barry county, same object;

No. 522. By Mr. Hertzler: Petition of David A. Curtis, A. W. Ball, and 80 other citizens of Monroe county, same object;

No. 523. By Mr. Belknap: Petition of S. J. Smith and 17 other voters of Bloomer, same object;

No. 524. By the same: Petition of H. F. Blanchard, Mrs. T. H. Thayer, and 45 others, of Hubbardston, same object;

No. 525. By the same: Petition of T. H. Jacokes, C. C. Eppy, and 43 other voters of Palo, same object;

No. 526. By Mr. Edwards: Petition of Rev. Charles H. Theobald, M. A. Teachout, W. F. Latham, and 30 other citizens of White Cloud, Newaygo county, same object.

The 15 petitions were referred to the committee on liquor traffic.

No. 527. By Mr. Belknap: Petition of C. C. Eppy, W. P. Smith, and 26 others, of Palo, favor of the pharmacy bill.

Referred to the committee on public health.

No. 528. By Mr. Phelps: Petition of John H. Palmer and 77 other citizens of Big Rapids, for municipal suffrage for women;

No. 529. By the same: Petition of Mrs. A. J. Upton and 151 other women, of Big Rapids, same object.

The two petitions were referred to committee on the judiciary.

No. 530. By Mr. Henry: Statement of the inspectors of election of Au Sable township, showing the number of votes cast for and against the incorporation of Au Sable and Oscoda under one municipal government.

On motion of Mr. Henry,

The statement was ordered printed in the Journal, and referred to the committee on cities and villages.

The following is the statement:

Statement of votes given in the township of Au Sable, in the county of Iosco and State of Michigan, upon the questions of the union of Au Sable and Oscoda for municipal purposes, at the township election held in said township

on Monday, the sixth day of April, in the year one thousand eight hundred and eighty five.

The whole number of votes given upon the questions of the union of Au Sable and Oscoda for municipal purposes was three hundred and thirty-two (332), and they were given as follows, viz :

Union of Au Sable and Oscoda for municipal purposes—No.....	218
Union of Au Sable and Oscoda for municipal purposes—Yes.....	7
Union of Au Sable and Oscoda, including Packtown, under one city government—Yes .....	98
Union of Au Sable and Oscoda, including Packtown, under one village government—Yes .....	7
Union of Au Sable and Oscoda—No.....	2
Total.....	332

STATE OF MICHIGAN, }  
COUNTY OF IOSCO. } ss.

We do hereby certify that the foregoing is a correct statement of the votes given in the township of Au Sable, county of Iosco, and State of Michigan, on the questions of the union of Au Sable and Oscoda for municipal purposes, at the township election held in said township on the sixth day of April, in the year one thousand eight hundred and eighty-five.

In witness whereof, we have hereunto, in duplicate, at the township of Au Sable, in said county and State, this ---- day of April, A. D., 1885.

W. MCGRAW,  
NELSON MCFARLANE,  
JOHN WORTH,  
*Inspectors of Election.*

#### REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate bill No. 234 (File No. 101), entitled

A bill to amend section 2 of an act entitled "An act to authorize the formation of county and town agricultural societies," approved February 12, 1885, and amended by act 228 of laws of 1881, being section 2169 of the compiled laws of 1871, the same being section 2304 of Howell's Annotated Statutes.

J. W. BELKNAP, *Chairman.*

Report accepted.

By the committee on the Industrial Home for Girls:

The committee on the Industrial Home for Girls to whom was referred

House joint resolution No. 27 (File No. 14), entitled

Joint resolution to define the methods of securing the doors to the rooms in which inmates are confined at the Industrial Home for Girls, and to provide for fire escapes at said Industrial Home for Girls;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. AUSTIN, *Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole and placed on the general order.

By the committee on public health:

The committee on public health, to whom was referred

House bill No. 211 (File No. 97), entitled

A bill to amend section 1 of act number 138 of the public acts of 1875, relative to subjects for dissection for the advancement of science, approved April 27, 1875, as amended by act number 16 of the public acts of 1881, approved March 2, 1881, the same being section 2110 of the compiled laws of 1871, as amended, the same being chapter 72, section 2284 of Howell's Annotated Statutes of Michigan;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAMES HUESTON, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committees on public health and judiciary:

The committees on public health and judiciary, to whom was referred jointly

Senate bill No. 82 (File No. 23), entitled

A bill to regulate the practice of pharmacy in the State of Michigan,

Respectfully report that they have had the same under consideration, and have directed us to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAMES HUESTON,

*Chairman of Committee on Public Health.*

JAY A. HUBBELL,

*Chairman Judiciary Committee.*

Report accepted and committees discharged.

On motion of Mr. Hueston,

The Senate concurred in the amendments made by the committee to the bill.

On motion of Mr. Hueston,

The bill was laid on the table.

By the committee on fisheries:

The committee on fisheries, to whom was referred

Senate bill No. 358, entitled

A bill to prohibit the taking or catching of fish in Gun Lake, in the counties of Barry and Allegan, by means of spears, nets, fire-arms, or artificial lights,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate with the accompanying substitute therefor, with the same title, recommending that the substitute be concurred in and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

R. KEMPF, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Carveth,

The rules were suspended, and the bill was placed on its immediate passage. The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Henry,	Mr. Phelps,
Brown,	Edwards,	Hertzler,	Sherwood,
Carveth,	Francis,	Hueston,	Spencer,
Curtiss,	Greiner,	Kempf,	President
Davenport,	Heisterman,	Moon,	<i>pro tem.</i> 19

## NAYS.

Mr. Woodruff,

1

The question being on agreeing to the title,

Mr. Carveth moved to amend the title so as to read as follows:

A bill to prohibit the taking or catching of fish in Gun Lake, in the counties of Barry and Allegan, by means of spears, nets, fire-arms, artificial lights, or explosive substances.

Which motion prevailed.

The title as amended was then agreed to.

By the committee on fisheries:

The committee on fisheries, to whom was referred

House bill No. 599 (File No. 216), entitled

A bill to amend section 4 of an act entitled "An act to protect fish and preserve fisheries in this State," approved March 21, 1865, act No. 350, session laws of 1865, being section 2166 of Howell's Annotated Statutes;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

R. KEMPF, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 149 (File No. 110), entitled

A bill to amend sections 3 and 6 of chapter 34 of the revised statutes of 1846, relating to "money of accounts and the interest of money, and on judgments, verdicts, etc.;" also, section 1 of act No. 11 of the session laws of 1869, relating to interest upon installments falling due upon written contracts, being sections 1594, 1597, and 1599 of Howell's Annotated Statutes of Michigan;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 11, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following conncurrent resolution:

WHEREAS, It has pleased divine Providence to remove from among us the Honorable Hezekiah G. Wells, who has been intimately and honorably connected with the history and growth of this State through its whole period of existence, and that in his death the State has lost one of her most useful citizens, a pure patriot, and a sincere friend of mankind; therefore,

*Be it resolved* (the Senate concurring), That we extend to the friends of the deceased our sympathy in this period of their great bereavement; and

*Resolved further*, That the Governor of this State be requested to transmit to the widow of the deceased a copy of these resolutions;

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

On motion of Mr. Brown,

The Senate unanimously concurred in the adoption of the concurrent resolutions.

#### THIRD READING OF BILLS.

Senate bill No. 197 (File No. 151), entitled

A bill to amend section 2 of act No. 108 of the session laws of 1871 as amended, being compiler's section 4207 of Howell's Annotated Statutes.

Pending the reading of the bill,

On motion of Mr. Edwards,

The bill was laid on the table.

Mr. Hueston moved to take from the table

Senate bill No. 82 (File No. 93) entitled

A bill to regulate the practice of pharmacy in the State of Michigan;

Which motion prevailed.

On motion of Mr. Hueston,

The bill was placed on the order of third reading.

#### GENERAL ORDER.

On motion of Mr. Edwards,

The Senate went into committee of the whole, on the general order,

Mr. Phelps in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

#### I.

The committee of the whole have had under consideration the following:

Senate bill No. 313 (File No. 157), entitled

A bill to change the name of Maurice Benham to Henry Maurice Buswell;

Senate joint resolution No. 24 (File No. 15), entitled

A joint resolution directing the Board of State Auditors to settle a claim of Muskegon county against the State of Michigan for shortage in the amount credited by the Auditor General to said county under section 10, act 197, of the public acts of the session of 1883;

Senate joint resolution No. 5 (File No. 16), entitled

Joint resolution declaring the necessity of having one or more Soldiers' Homes established in this State for the protection of union soldiers and marines who have become disabled since their discharge from service, and to provide a joint committee to investigate and report as to feasibility of the Dearborn arsenal property, etc.;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

## II.

The committee of the whole have also had under consideration the following:

Senate bill No. 211 (File No. 132), entitled

A bill to establish and regulate a mining school in the Upper Peninsula,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

## III.

The committee of the whole have also had under consideration the following:

Senate bill No. 334 (File No. 104), entitled

A bill making an appropriation of State swamp land to aid the counties of Shiawassee and Clinton to remove bars and other obstructions to the free flow of water in the Looking Glass river, and to repeal act No. 239 of the session laws of 1881, entitled "An act to authorize the board of control of State swamp lands to make an appropriation of State swamp land to aid in the removal of bars and other obstructions to the free flow of water in the Looking Glass river, in the counties of Clinton and Shiawassee," approved June 8, 1881,

Have adopted a substitute therefor, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend that the substitute be printed, and placed on the order of third reading.

FITCH PHELPS, *Chairman*.

Report accepted and committee discharged.

The first named bill and joint resolutions were placed on the order of third reading of bills.

On motion of Mr. Phelps,

The Senate concurred in the amendments made by the committee to the second named bill, and the same was placed on the order of third reading of bills:

On motion of Mr. Phelps,

The Senate concurred in the action of the committee concerning the last named bill.

On motion of Mr. Hueston,

The Senate took a recess until 2 o'clock P. M.

## AFTERNOON SESSION.

*2 o'clock P. M.*

The Senate met and was called to order by the President *pro tem*.

Roll called : a quorum present.

## PETITIONS.

No. 531. By Mr. Monroe : Petition of W. J. Hathaway, J. M. Lombard, S. R. Slocum, N. M. Strong, William Broadwell, Gilman White, C. H. King, D. W. Wiley, and 230 others of Decatur, Van Buren county, and Douglass, Allegan county, in favor of submitting the prohibitory amendment ;

Referred to the committee on liquor traffic.

## GENERAL ORDER.

On motion of Mr. S. W. Smith,

The Senate went into committee of the whole on the general order,

Mr. S. W. Smith in the chair.

After some time spent therein, the committee rose, and, through their chairman, made the following report :

The committee of the whole have had under consideration the following :

## I.

Senate bill No. 180 (File No. 117), entitled

A bill to amend section 2, chapter 262 of the compiled laws of 1871, being section 9577, compiler's section of the statutes of the State of Michigan, in force, compiled, and annotated by Andrew Howell, relative to settlement of exceptions in criminal cases, and amendatory of such act in providing for the return of bills of exceptions and records to the supreme court.

House bill No. 671, entitled

A bill to amend section 1 of act No. 317 of the session laws of 1883, entitled "An act to organize the public library of West Bay City.

House bill No. 270, entitled

A bill to detach township 24 north range one west, from the township of Higgin, in the county of Roscommon, and organize a new, separate township of said territory, to be known as the township of Richfield.

House bill No. 282 (File No. 237), entitled

A bill authorizing and empowering the trustees of the Michigan Asylum for the Insane to purchase a tract of land lying north and east of the land now owned by the State, and occupied by the asylum, and also to erect a carpenter shop;

Senate bill No. 78 (File No. 160), entitled

A bill making appropriations for the current expenses of the State Normal School for the years 1885 and 1886;

Senate bill No. 209 (File No. 161), entitled

A bill making appropriation for the Institution for educating the Deaf and Dumb for the years 1885 and 1886.

Senate bill No. 178 (File No. 165), entitled

A bill to amend act number 192 of the public acts for the year 1879, being section 9315 of Howell's Annotated Statutes, relative to the punishment of libel and slander, and to add one new section thereto to stand as section 2 ;

Senate bill No. 193 (File No. 172), entitled

A bill to amend section 45 of chapter 147 of the compiled laws of 1871, rela-



tive to estates in real property, being section 5561 of Howell's Annotated Statutes;

Senate bill No. 103 (File No. 173), entitled

A bill to amend section 18 of chapter 266 of the compiled laws of 1871, being section 9651 of Howell's Statutes;

Senate bill No. 208 (File No. 179), entitled

A bill to provide for the collection and publication of statistics of divorce within this State;

Senate bill No. 366 (File No. 182) entitled

A bill to fix the liability of sureties on the bonds of public officers.

Senate bill No. 162 (File No. 122), entitled

A bill to amend chapter 245 of the compiled laws of 1871, being chapter 318 of title 39 of Howell's Annotated Statutes, relative to "offenses against property," and to stand as section 9176a;

Senate bill No. 155 (File No. 129) entitled

A bill to provide for the punishment of public officers, their servants and agents, who knowingly and unlawfully appropriate to their own use, or the use of others, the money or property committed to their care;

Senate bill No. 66 (File No. 130,) entitled

A bill to amend section 5076 of the compiled laws of 1871, being section 6630 of Howell's Statutes, relative to the service of subpoenas in courts of chancery;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

## II.

The committee of the whole have also had under consideration the following:

Senate bill No. 317 (File No. 169), entitled

A bill to provide for assigning errors on the charge of any circuit court given to the jury in any civil or criminal suit, action or proceeding;

Senate bill No. 84 (File No. 170), entitled

A bill to amend section 8, and to repeal sections 13, 14, 15, and 16, of act No. 215 of the session laws of 1873, entitled "An act to incorporate the village of Howard City," approved March 14, 1873, and to add one new section thereto to stand as section 39;

Senate bill No. 218 (File No. 181), entitled

A bill to provide for an appropriation for the preparation, publication, and distribution of the proceedings of the annual meetings of the Michigan superintendents of the poor for the years 1885 and 1886,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

S. W. SMITH, *Chairman.*

Report accepted and committee discharged.

The first named bills were placed on the order of third reading of bills.

On motion of Mr. S. W. Smith,

The Senate concurred in the amendments made by the committee to the second named bills, and the same was placed on the order of third reading of bills.

By unanimous consent,

The Senate returned to the order of

## MESSAGES FROM THE HOUSE.

The President *pro tem.* announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 11, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit to the Senate the following entitled bill:

House bill No. 488 (File No. 265), entitled

A bill to prevent the sale, or otherwise disposing of obscene, immoral, and indecent books, pamphlets, papers, prints, pictures, writings, and other objectionable news;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on State affairs.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 11, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 312 (File No. 314), entitled

A bill making appropriations for the current expenses and for building, etc. for the Reform School, for the years 1885 and 1886;

2. House bill No. 366 (File No. 210), entitled

A bill to authorize the Board of State Auditors to audit the claim of Edgar C. Webber, Quartermaster Sergeant of Company D, Third Regiment of Michigan State troops, for injuries received by him from an accidental gunshot wound, while engaged in the line of his duties at the State military encampment of 1883, and to pay the same;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committees on State House of Correction and appropriations and finance.

The second bill was read a first and second time by its title, and

On motion of Mr. Davenport,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Moon,	Mr. Spencer,
Brown,	Heisterman,	Phelps,	Woodruff,
Davenport,	Henry,	Sherwood,	President
Davis,	Hueston,	Smith, S. W.,	<i>pro tem.</i> , 17
Edwards,	Monroe,		

## NAYS.

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Title agreed to.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 11, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 266 (File No. 208), entitled

A bill to provide for enclosing, filling, or fencing any shaft, pit hole, or trench on any unenclosed or unoccupied lands within this State;

2. House bill No. 179 (File No. 148), entitled

A bill making ten hours a legal day's work;

3. House bill No. 193 (File No. 231), entitled

A bill to amend section 1 of act 240 of session laws of 1881, being continuous section 9134 of Howell's Annotated Statutes of Michigan, entitled "An act to amend section 7563 of the compiled laws of 1881, as amended by act No. 93 of the session laws of 1875," relative to offenses against property;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The first-named was read a first and second time by its title, and referred to the committee on horticultural interests.

The second named bill was read a first and second time by its title, and referred to the committee on labor.

The third named bill was read a first and second time by its title and referred to the committee on the judiciary.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 11, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following joint resolution:

House joint resolution No. 14 (File No. 18), entitled

Joint resolution relative to unearned land grants;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The joint resolution was read a first and second time by its title, and referred to the committee on public lands.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 11, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bill:

House bill No. 689 (File No. 141), entitled

A bill making an appropriation of State swamp lands to aid the county of Gratiot to remove bars and obstructions in Maple river, and to authorize a tax to complete the same, and to repeal act No. 50 of the session laws of 1881, entitled "An act to authorize the board of control of State swamp lands to make an appropriation of swamp lands to remove bars and obstructions in Maple river, in the counties of Clinton and Gratiot, approved March 26, 1881,

Which have passed the House by a two-thirds majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on public lands.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 11, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following joint resolution:

House joint resolution No. 35 (File No. 17), entitled

Joint resolution for the relief of Geo. P. Baker;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The joint resolution was read a first and second time by its title and referred to the committee on military affairs.

Mr. Davenport asked and obtained leave of absence for himself until Tuesday, April 14.

On motion of Mr. Sherwood,

The Senate adjourned until Monday at 10 o'clock A. M.

*Lansing, Monday, April 13, 1885.*

The Senate met and was called to order by the President at 10 o'clock A. M.  
Roll called: quorum present.

Absent without leave; Messrs. Austin, Carpenter, Curtiss, Hawley, Hertzler, and Kempf.

On motion of Mr. Edwards,

Leave of absence was granted to all the absentees for the day.

Mr. Brown moved that the Senate do now adjourn,

Which did not prevail.

By unanimous consent,

The order of presentation of petitions was passed for the day.

#### REPORTS OF STANDING COMMITTEES.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 304 (File No. 126), entitled

A bill to provide for an attorney fee in the foreclosure of real estate mortgages by advertisement,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 235 (File No. 128), entitled

A bill to amend section 45 of chapter 158 of the compiled laws of 1871 relative to the payment of debts and legacies of deceased persons, the same being section 5932 of Howell's Annotated Statutes,

Respectfully report that they have the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 256 (File No. 153), entitled

A bill to amend section 1 of act No. 142, of the session laws of 1883, being an act entitled "An act to provide for selecting petit jurors in the Upper Peninsula,"

Respectfully report that they have had the same under consideration, and

have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 159 (File No. 72), entitled

A bill to prohibit and to regulate the removal of certain civil causes to the supreme court when the matter in controversy is less than \$100,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 295 (File No. 115), entitled

A bill to provide for the challenge of talesmen in justice's courts,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 240 (File No. 102), entitled

A bill to provide for the number of jurors in trials of civil actions in courts of record,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and without recommendation as to its passage, and ask to be discharged from the further consideration of the subject.

J. A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Carveth,

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 210 (File No. 81), entitled

A bill to make it a misdemeanor to unhitch any horse or team, or ride or drive the same away in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 231 (File No. 98) entitled

A bill to amend section 5935 of the compiled laws of 1871, relative to evidence, the same being section 7508 of Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 279 (File No. 127), entitled

A bill to amend compiler's section No. 5955 of compiled laws of 1871 of the laws of Michigan, the same being compiler's section 7526 of Howell's Annotated Statutes, relative to proof of demands in suit,

Respectfully report that they have had the same under consideration, and have directed me to report a substitute for the same back to the Senate and recommend that said substitute do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the adoption of the substitute reported for the bill by the committee.

The substitute was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 117 (File No. 57), entitled

A bill relating to the proof of instruments in writing,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with amendments

thereto, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee,

The bill was then ordered re-printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 84 (File No. 42), entitled

A bill to amend section 7397 of Howell's Annotated Statutes, being section 5828 of the compiled laws of 1871, relative to survival of actions,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 129 (File No. 45), entitled

A bill providing for the employment, defining the duties and fixing the compensation of a stenographer for the fourth judicial circuit, State of Michigan,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 167 (File No. 76), entitled

A bill to amend section 11 of chapter 263 of the compiled laws of 1871, being compiler's section 9593 of Howell's Annotated Statutes, of Michigan of 1882, relative to inquests,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*



Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 62 (File No. 22), entitled

A bill to amend sections 442 and 443 of compiled laws 1871, relating to the common jurisdiction of certain counties,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary to whom was referred

House bill No. 36 (File No. 18), entitled

A bill to amend section 8 of chapter 179 of compiled laws of 1871, being compiler's section 5532, relative to criminal proceedings before justices of the peace,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Carveth,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 38 (File No. 21), entitled

A bill to repeal an act entitled "An act to provide for the prevention and punishment of horse stealing," approved May 9, 1877, being act No. 102 of the public acts of 1877,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 101 (File No. 38) entitled

A bill requiring parties to civil suits in circuit courts to file a bill of particulars of their respective demands in certain cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment,

and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. A. HUBBELL, *Chairman*.

Report accepted and committees discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 48 (File No. 9), entitled

A bill to amend section 1 of chapter 178 of the Compiled Laws of 1871, entitled "an act to amend chapter 93 of the revised statutes of 1846, entitled 'of courts held by justices of the peace,' " the same being section 6814 of Howell's Annotated Statutes;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 21, entitled

A bill to amend sections 1 and 2 of chapter 229 of the compiled laws of 1871, relative to statutes of limitations in certain cases of personal damages,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 30, entitled

A bill to amend section 75 of chapter 10, compiled laws of 1871, being section 585, Howell's Statutes, relative to county officers,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with a proposed amendment thereto, recommending that the amendment be concurred in, but without recommendation as to the passage of said bill, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was ordered printed, together with the amendment, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 35, entitled

A bill to amend section 8 of chapter 10 of an act entitled "An act for the incorporation of cities," approved April 29, 1873, being section 2544 of Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration, and, have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 43, entitled

A bill to amend act 161 of the session laws of 1867, being an act entitled an act for the protection of the rights of females, being section 7091 of Howell's Annotated Statutes of Michigan,

Respectfully report that they have had the same under consideration and have directed us to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 55, entitled

A bill to prohibit the use of the words "warranty deeds," or similar words on any deeds except warranty deeds,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 161, entitled

A bill to amend act 137 of the laws of 1849, by adding a new section thereto to stand as section 28, relating to authorizing proceedings against garnishees and for other purposes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment,

and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 353, entitled

A bill to amend section 4304 of the compiled laws of 1871, being section 5774 of Howell's Annotated Statutes, relative to determination of all estates at will or by sufferance,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 302, entitled

A bill to provide for the filing of any contract or lease, or a true copy thereof, which contract or lease contains a provision that the vendee or lessee may become the owner of goods and chattels, but the vendor or lessor shall or may retain the title thereto or a lien thereon until the same shall be fully paid for,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 287, entitled

A bill to amend act number 16 of the session laws of 1877, being section 5707 of the general statutes of the State of Michigan, compiled and annotated by Andrew Howell, entitled an act relative to alienation by deed, and the proof and recording of conveyances and the canceling of mortgages,

Respectfully report that they have had the same under consideration and

have directed me to report the same back to the Senate without amendment, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 303, entitled

A bill to require the filing for record of notice of suits at law affecting the title to real estate,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 312, entitled

A bill to amend section 102, of chapter 188, of the compiled laws of 1871, being compiler's section 5969, relative to the competency of witnesses and examinations of parties in certain cases,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 58, entitled

A bill to provide for the punishment of murderous assaults with dangerous and deadly weapons,

Respectfully report that they have had the same under consideration, and have directed me to report a substitute for the same back to the Senate, and recommend that said substitute do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the adoption of the substitute reported for the bill by the committee.

The substitute was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 412, entitled

A bill to provide for the preparation and publication of an index to the general laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 305, entitled

A bill to amend section 229 of chapter 178 of the compiled laws of 1871, being section 7044 of Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 299, entitled

A bill for the relief of Lansing Elliott, late treasurer of the township of Jefferson, in the county of Hillsdale,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 306, entitled

A bill to authorize and empower boards of supervisors, and in the county of Wayne the board of auditors, to grant the use of the public records and files in their respective counties for making abstracts of land titles,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 331, entitled

A bill to regulate conditional sales of personal property,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 340, entitled

A bill to amend section 6193 of Howell's Annotated Statutes of the laws of Michigan relative to chattel mortgages,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 341, entitled

A bill to amend section 626 of Howell's Annotated Statutes of the Laws of Michigan, relative to the appointment to the office of notary public,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was laid on the table.

By the committees on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 106, entitled

A bill to amend section one of act No. 198 of the session laws of 1879, entitled "An act to provide for the regulation and enforcement of assignments for the benefit of creditors," approved May 13, 1879, being section 8739 of Howell's Annotated Statutes of Michigan, and to add two new sections to said act to stand as sections 12 and 13,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and without recommendation as to its passage, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred House bill No. 431 (File No. 175), entitled

A bill to amend section 20 of chapter 4 of act 164, Session Laws of 1881, being consecutive section 5097 of Howell's Annotated Statutes of 1882, relative to the payment by township treasurers of school taxes collected,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pennell,

The bill was laid on the table.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred House bill No. 430 (File No. 248), entitled

A bill to amend section 1 of chapter 4 of act No. 164, Session Laws of 1881, being compiler's section 5078 of Howell's Annotated Statutes of 1882, as amended by act No. 9, Session Laws of 1883, relative to the organization of township boards of school inspectors,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred House bill No. 261 (File No. 236), entitled

A bill to amend section 6 of act number 394 of the session laws of 1855, consecutive section number 4374 of Howell's Annotated Statutes, relative to the appointment of State visitors to incorporated institutions of learning,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred House bill No. 22 (File No. 93), entitled

A bill to provide for a uniform system of examination of teachers for the county of Alpena,



Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE GOVERNOR.

The Speaker announced the following:

EXECUTIVE OFFICE,  
*Lansing, April 13, 1885.* }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State:

Senate bill No. 128 (File No. 113), being

An act to establish a recorder's court for the city of Kalamazoo, and to define the jurisdiction of the same;

Also,

Senate bill No. 186 (File No. 123), being

A bill to incorporate the village of Brockway Center, in the county of St. Clair;

Also,

Senate bill No. 267 (File No. 124), being

A bill to incorporate the village of Attica, Lapeer county;

Also,

Senate joint resolution No. 22 (File No. 7), being

Joint resolution to authorize the Board of State Auditors to make investigations to ascertain the cost and expediency of lighting the State capitol building and grounds with electric lights.

R. A. ALGER, *Governor.*

The message was laid on the table.

On motion of Mr. Hubbell,

The Senate adjourned.

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*Lansing, Tuesday, April 14, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.

Prayer by the Rev. Mr. Jameson.

Roll called: a quorum present.

Absent without leave: Senators Oline, Greiner, and Hubbell.

On motion of Mr. Manwaring,

Leave of absence was granted to Mr. Cline for the day.

On motion of Mr. Stephenson,  
Leave of absence was granted to Mr. Hubbell for the day.  
On motion of Mr. Pennell,  
Leave of absence was granted to Mr. Greiner for the day.

## PETITIONS.

No. 532. By Mr. G. A. Smith: Petition of Mrs. J. E. Fisher and 85 other ladies of Quincy, Branch county, for the submission of the prohibitory constitutional amendment to the people relative to the liquor traffic;

No. 533. By the same: Petition of 320 voters of same place, same object;

No. 534. By the same: Petition of Byron Miller and 93 citizens of Kinderhook, Branch county, same object;

No. 535. By the same: Petition of A. R. Dibble and 168 voters of North Adams, same object;

No. 536. By the same: Petition of Mrs. Mary A. Kellogg and 163 ladies of North Adams, same object;

No. 537. By Mr. Manwaring: Petition of Libius Calkins, H. M. Buchanan, and 78 other citizens of Imlay City, Lapeer county, same object;

No. 538. By the same: Petition of John H. Bolton and six other citizens of same county, same object;

No. 539. By the same: Petition of Mrs. L. Calkins, Mrs. R. Dawson, and 32 other ladies of Imlay City, same object;

No. 540. By the same: Petition of John Walker, and seven others, of Lapeer county, same object;

No. 541. By Mr. Sherwood: Petition of 171 citizens of Cass county, same object;

No. 542. By the same: Petition of 61 citizens of Unadilla and Chickaming, same object;

No. 543. By Mr. Monroe: Petition of Justus Hill, Mrs. E. N. Rosevelt, and 38 others of Keelerville, Van Buren county, same object;

No. 544. By the same: Petition of W. V. Hoyt and 126 others of Wayland Allegan county, same object;

No. 545. By Mr. Edwards: Petition of David Baker and 114 other voters of Fremont, Newaygo county, same object;

No. 546. By Mr. Edwards: Petition of Henry W. Read and 46 others, of Shelby, Oceana county, same object;

No. 547. By Mr. Pulver: Petition of J. W. Jinks and 400 others, of Brighton, Livingston county, same object;

No. 548. By Mr. Woodruff: Petition of 891 citizens of Breckenridge, St. Louis, Ithaca, and Sumner, Gratiot county, same object;

No. 549. By Mr. Carveth: Petition of D. P. Sagendorph, Sidney Smith, A. G. Munson, Mrs. R. A. Wells, and 86 others of Eaton county, same object;

No. 550. By Mr. Davis: Petition of R. S. Weaver, Mrs. C. M. Weaver, C. Q. Tappen, Mrs. Mary L. Staley, Frank Hopkins, James M. Palmer, Mrs. M. N. Pierce, Wm. F. Kane, and 707 others, of Tuscola county, same object;

No. 551. By Mr. Curtiss: Petition of James Norris, L. N. Luther, S. S. Hesselstine, and 70 others, same object;

No. 552. By Mr. Carpenter: Petition of Rev. A. B. Storms, O. W. Lever, Chester Morley, and 290 others, voters of Franklin and Cambridge, Lenawee county, same object;

No. 553. By Mr. Carpenter: Petition of Charles Munson, R. M. Smith, John Woodward, and 517 other voters of Morenci, same object;

No. 554. By Mr. Shoemaker: Petition of George H. Hickox, chaplain of the State prison, same object;

No. 555. By Mr. Francis: Petitions of C. F. Brett and 832 others, same object;

No. 556. By Mr. Phelps: Petitions of Jacob Sears, H. P. Beach, Frank Bancroft, P. C. Gilbert, George Reed, Frank C. Chamberlain, Thomas Evans, A. B. Colwell, J. D. Wood, Mrs. R. E. Ballard, and 442 others, same object;

No. 557. By Mr. Belknap: Petition of James B. Clark, A. T. Phelps, R. P. Johnson, Mrs. L. Fish, Mrs. W. C. Page, Joseph R. Powell, and 525 others, same object;

No. 558. By Mr. Pennell: Petitions of Rev. G. L. Mount, Jennie Sleight, A. P. Smith, and 59 others, same object;

No. 559. By Mr. Kempf: Petition of C. Boylan and 276 others of Ann Arbor, same object;

No. 560. By Mr. Spencer: Petitions of Hon. A. S. Partridge, James Glass, D. J. Lawrence, John L. Jennings, Alanson Niles, Susan Way, and 260 others, of Genesee county, same object;

No. 561. By Mr. Davenport: Petition of J. B. Wiggins and 77 others, of East Saginaw, same object;

No. 562. By Mr. S. W. Smith: Petition of Charles Runons, Sally Hammond, Jennie Gage and 72 others of Oakland county, same object.

The 31 petitions were referred to committee on liquor traffic;

No. 563. By Mr. Henry: Remonstrance of Fred. Lincoln and 157 other citizens of Alpena against the passage of House bill No. 226, relative to the fish laws;

Referred to the committee on fisheries.

No. 564. By Mr. Kempf: Petition of Henry S. Dean and 100 others, citizens of Washtenaw county, in favor of the minority bill.

No. 565. By Mr. Carpenter: Remonstrance of C. A. Smith and 20 others against the passage of the minority bill.

No. 566. By Mr. Francis: Remonstrance of Thomas T. Bates and 34 other citizens of Grand Traverse county, same object.

The petition and two remonstrances were referred to the committee on banks and incorporations.

No. 567. By Mr. Hueston: Petition of 300 citizens of Muskegon county for the passage of the pharmacy bill;

Referred to the committee on public health.

#### REPORTS OF STANDING COMMITTEES.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred House bill No. 299 (File No. 184), entitled

A bill to amend sections 1, 2, 3, 7, 9 and 12 of act No. 344 of the session laws of 1871, entitled "An act relative to free schools in the city of Grand Rapids," approved March 15, 1871, as amended by an act approved April 24, 1875, as amended by act approved May 9, 1877, as amended by act approved May 3, 1879, and as further amended by act approved March 16, 1881, and to add a new section to the act to stand as section 23,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the

bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Carveth,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on agricultural interests:

The committee on agricultural interests, to whom was referred

House bill No. 348 (File No. 253), entitled

A bill to provide for the collection of apiarian statistics,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

MANSON CARPENTER, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

#### MOTIONS AND RESOLUTIONS.

Mr. Carveth offered the following resolution:

*Resolved*, That the committee on printing be requested to ascertain if the printing of a less number of Legislative Journals will not meet the wants of the Senate;

Which was adopted.

Mr. Carveth offered the following resolution:

*Resolved*, That the daily sessions of the Senate after this date, shall commence at 10 o'clock in the forenoon;

Which was adopted.

#### THIRD READING OF BILLS.

Senate bill No. 82 (File No. 95) entitled

A bill to regulate the practice of pharmacy in the State of Michigan,

Pending the reading thereof,

On motion of Mr. Edwards,

The bill was re-committed to the committee of the whole.

Senate bill No. 313 (File No. 157), entitled

A bill to change the name of Maurice Benham to Henry Maurice Buswell;

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Manwaring,	Mr. Sherwood,
Belknap,	Edwards,	Monroe,	Shoemaker,
Brown,	Francis,	Moon,	Smith, S. W.,
Carpenter,	Hawley,	Pennell,	Spencer,
Carveth,	Hertzler,	Phelps,	Stephenson,
Curtiss,	Hueston,	Pulver,	Woodruff,
Davenport,	Kempf,		

26

#### NAYS.

0

Title agreed to.

On motion of Mr. Moon,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate joint resolution No. 24 (File No. 15), entitled

A joint resolution directing the board of State auditors to settle a claim of Muskegon county against the State of Michigan for shortage in the amount credited by the auditor general to said county under section 10, act 197, of the public acts of the session of 1883,

Was read a third time and passed, two-thirds of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hueston,	Mr. Phelps,
Belknap,	Davis,	Kempf,	Pulver,
Brown,	Edwards,	Manwaring,	Sherwood,
Carpenter,	Francis,	Monroe,	Spencer,
Carveth,	Hawley,	Moon,	Stephenson,
Curtiss,	Hertzler,	Pennell,	Woodruff, 24

NAYS.

0

Title and preamble agreed to.

On motion of Mr. Moon,

By a vote of two-thirds of all the Senators elect, the joint resolution was ordered to take immediate effect.

Senate joint resolution No. 5 (File No. 16), entitled

Joint resolution declaring the necessity of having one or more soldiers' homes established in this State for the protection of union soldiers and marines who have become disabled since their discharge from service, and to provide a joint committee to investigate and report as to feasibility of the Dearborn arsenal property, etc.,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Pulver,
Belknap,	Edwards,	Kempf,	Sherwood,
Brown,	Francis,	Manwaring,	Shoemaker,
Carpenter,	Hawley,	Monroe,	Smith, G. A.,
Carveth,	Heisterman,	Moon,	Spencer,
Curtiss,	Henry,	Pennell,	Stephenson,
Davenport,	Hertzler,	Phelps,	Woodruff, 25

NAYS.

0

Title and preamble agreed to.

On motion of Mr. Hueston,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 211 (File No. 132), entitled

A bill to establish and regulate a mining school in the Upper Peninsula,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent, Mr. Stephenson moved to amend the bill as follows:

By striking out of section 3, line 2, the words "second Tuesday of ———," and inserting in lieu thereof the words "fifteenth day of July;"

Which motion prevailed and the bill was so amended.

By unanimous consent, Mr. Henry moved to further amend the bill as follows:

By striking out of section 5, line 5, the word "forever; "

Which motion prevailed and the bill was so amended.

The bill as amended was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Pulver,
Belknap,	Edwards,	Kempf,	Sherwood,
Brown,	Francis,	Manwaring,	Shoemaker,
Carpenter,	Hawley,	Monroe,	Smith, S. W.,
Carveth,	Heisterman,	Moon,	Spencer,
Curtiss,	Henry,	Pennell,	Stephenson,
Davenport,	Hertzler,	Phelps,	Woodruff,

28

## NAYS.

0

Title agreed to.

On motion of Mr. Stephenson,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 180 (File No. 117), entitled

A bill to amend section 2, chapter 262 of the Compiled Laws of 1871, being section 9577, compiler's section of the statutes of the State of Michigan, in force, compiled and annotated by Andrew Howell, relative to the settlement of exceptions in criminal cases, and amendatory of such act in providing for the return of bills of exceptions and records to the supreme court,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Belknap,	Mr. Edwards.	Mr. Kempf,	Mr. Sherwood,
Brown,	Francis,	Monroe,	Shoemaker,
Carpenter,	Hawley,	Moon,	Smith, G. A.,
Carveth,	Heisterman,	Pennell,	Spencer,
Curtiss,	Hertzler,	Phelps,	Stephenson,
Davenport,	Hueston,	Pulver,	Woodruff,
Davis,			

25

## NAYS.

0

Title agreed to.

The President *pro tem.* was called to the chair.

House bill No. 671, entitled

A bill to amend section 1 of act No. 317 of the session laws of 1883, entitled "An act to organize the public library of West Bay City, "

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Brown,	Mr. Heisterman,	Mr. Moon,	Mr. Smith, G. A.,
Carpenter,	Henry,	Pennell,	Smith, S. W.,
Carveth,	Hertzler,	Phelps,	Spencer,
Curtis,	Hueston,	Pulver,	Stephenson,
Davis,	Kempf,	Sherwood,	Woodruff,
Edwards,	Manwaring,	Shoemaker,	President
Francis,	Monroe,		<i>pro tem.</i>

26

## NAYS.

0

Title agreed to.

On motion of Mr. Davis,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

House bill No. 270, entitled

A bill to detach township 24 north, range one west, from the township of Higgins, in the county of Roscommon, and organize a new separate township of said territory, to be known as the township of Richfield,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Monroe,	Mr. Smith, S. W.,
Brown,	Heisterman,	Moon,	Spencer,
Carpenter,	Henry,	Pennell,	Stephenson,
Curtiss,	Hertzler,	Phelps,	Woodruff,
Davenport,	Hueston,	Sherwood,	President,
Davis,	Kempf,	Shoemaker,	<i>pro tem.</i> , 25
Edwards,	Manwaring,		

## NAYS.

0

Title agreed to.

On motion of Mr. Woodruff,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

House bill No. 282 (File No. 237), entitled

A bill authorizing and empowering the Trustees of the Michigan Asylum for the Insane to purchase a tract of land lying north and east of the land now owned by the State, and occupied by the Asylum, and also to erect a carpenter shop,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent, Mr. Davenport moved to amend the bill as follows:

By striking out all of section 1, after the word "dollars," in line 14.

Pending which the President resumed the chair.

Mr. Brown called for the yeas and nays.

The motion to amend then did not prevail, by yeas and nays, as follows:

## YEAS.

Mr. Curtiss,	Mr. Davis,	Mr. Manwaring,	Mr. Phelps,
Davenport,	Heisterman,		

6

## NAYS.

Mr. Austin,	Mr. Francis,	Mr. Monroe,	Mr. Smith, G. A.,
Belknap,	Hawley,	Moon,	Smith, S. W.,
Brown,	Henry,	Pennell,	Spencer,
Carpenter,	Hertzler,	Pulver,	Stephenson,
Carveth,	Hueston,	Sherwood,	Woodruff,
Edwards,	Kempf,	Shoemaker,	23

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Moon,	Mr. Smith, G. A.,
Belknap,	Hawley,	Pennell,	Smith, S. W.,
Brown,	Henry,	Phelps,	Spencer,
Carpenter,	Hertzler,	Pulver,	Stephenson,
Carveth,	Hueston,	Sherwood,	Woodruff,
Edwards,	Monroe,	Shoemaker,	23

## NAYS.

Mr. Curtiss,	Mr. Davis,	Mr. Heisterman,	Mr. Manwaring,
Davenport,			5

Title agreed to.

On motion of Mr. Spencer,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 78 (File No. 160), entitled

A bill making appropriations for the current expenses of the State Normal School for the years 1885 and 1886,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Sherwood,
Belknap,	Edwards,	Kempf,	Smith, G. A.,
Brown,	Francis,	Manwaring,	Smith, S. W.,
Carpenter,	Hawley,	Monroe,	Spencer,
Carveth,	Heisterman,	Moon,	Stephenson,
Curtiss,	Henry,	Phelps,	Woodruff,
Davenport,	Hertzler,	Pulver,	27

## NAYS.

0

Title agreed to.

On motion of Mr. Austin,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 209 (File No. 161), entitled

A bill making appropriations for the institution for educating the deaf and dumb for the years 1885 and 1886,

Was read a third time, and pending the taking of the vote thereon,

Mr. Pulver moved that the same be laid on the table;

Which motion did not prevail.

Mr. Davenport moved that he be allowed to offer an amendment at this time.

Mr. Davenport called for the yeas and nays.

Pending which,

Mr. Shoemaker moved that the bill be referred to the committee on the institution for the deaf and dumb with instructions to provide that all parents or guardians able to do so, be required to pay such sum as will reimburse the State for the cost of the board of the pupils of such parents or guardians.

Mr. Davenport called for the yeas and nays.

The motion to recommit then did not prevail by yeas and nays as follows:



## YEAS.

Mr. Curtiss, Davenport,	Mr. Davis,	Mr. Pulver,	Mr. Shoemaker,	5
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## NAYS.

Mr. Austin, Belknap, Brown, Carpenter, Carveth, Edwards,	Mr. Francis, Hawley, Heisterman, Henry, Hertzler, Hueston,	Mr. Kempf, Manwaring, Monroe, Moon, Pennell, Phelps,	Mr. Sherwood, Smith, G. A., Spencer, Stephenson, Woodruff,	23
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The objection to allowing Mr. Davenport to offer an amendment having been withdrawn,

By unanimous consent, Mr. Davenport moved to amend the bill as follows: By striking out of line 1 and line 2 the words "fifty thousand," and inserting in lieu thereof in each case the words "forty-seven thousand and five hundred."

Mr. Davenport called for the yeas and nays.

The amendment was not agreed to, by yeas and nays as follows:

## YEAS.

Mr. Curtiss, Davenport,	Mr. Hawley, Heisterman,	Mr. Hueston, Pulver,	Mr. Shoemaker,	7
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## NAYS.

Mr. Austin, Belknap, Brown, Carpenter, Carveth,	Mr. Edwards, Francis, Kempf, Manwaring, Monroe,	Mr. Moon, Pennell, Phelps, Sherwood,	Mr. Smith, G. A., Smith, S. W., Spencer, Woodruff,	18
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The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin, Belknap, Brown, Carpenter, Carveth, Curtiss, Davis,	Mr. Edwards, Francis, Henry, Hertzler, Hueston, Kempf,	Mr. Manwaring, Monroe, Moon, Pennell, Phelps, Sherwood,	Mr. Shoemaker, Smith, G. A., Smith, S. W., Spencer, Stephenson, Woodruff,	25
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## NAYS.

Mr. Davenport,	Mr. Hawley,	Mr. Heisterman,	3
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Title agreed to.

On motion of Mr. Belknap,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

On motion of Mr. Henry,

The Senate adjourned.

The President announced that the Senate stands adjourned until to-morrow morning at 10 o'clock.

*Lansing, Wednesday, April 15, 1885.*

The Senate met and was called to order by the President *pro tem.* at 10 o'clock A. M.

Roll called : quorum present.

Absent without leave : Senators Greiner and Hubbell.

On motion of Mr. S. W. Smith,

Leave of absence was granted to Mr. Greiner for the day.

On motion of Mr. Manwaring,

Leave of absence was granted to Mr. Curtiss for the day.

On motion of Mr. Henry,

Leave of absence was granted to Mr. Hubbell for the day.

#### PETITIONS.

No. 568. By Mr. Moon : Petition of D. B. Miller, A. Gee and 112 other voters and others of Carlton, asking for the submission of the prohibitory amendment to the people ;

No. 569. By the same : Petition of E. E. Andrews, A. M. Cole, and 72 others of Ottawa county, same object ;

No. 570. By Mr. Manwaring : Petition of W. H. Harvey and 397 others of Utica, Macomb county, same object ;

No. 571. By Mr. Manwaring : Petitions of George W. Chapin and 86 others, of Lapeer county, same object ;

No. 572. By Mr. Henry : Petition of John Kresten, M. O'Brien, and 400 others, of Alpena county, same object ;

No. 573. By Mr. Davis : Petition of James N. Taylor and 221 others, of Reese, Tuscola county, same object ;

No. 574. By Mr. Cline : Petition of Hugh McIntyre and 59 others, of Grant, St. Clair county, same object ;

No. 575. By Mr. Carpenter : Petition of John Segur and 179 others, of Lenawee county, same object ;

No. 576. By Mr. Stephenson : Petitions of A. W. Waxman and 84 others, same object ;

No. 577. By Mr. Kempf : Petitions of N. S. Avery, Orton T. Hinton, and 97 other citizens of Milan and Manchester, Washtenaw county, same object ;

No. 578. By Mr. S. W. Smith : Petitions of Rev. H. H. Howell and 385 others, of Oakland county, same object ;

No. 579. By Mr. Austin : Petition of O. L. Davis, E. L. Parmeter and 78 other voters of Albion, same object ;

No. 580. By Mr. Hueston : Petitions of R. A. Savage and 260 others, of Wayne county, same object ;

No. 581. By Mr. Hertzler : Petition of C. M. Candee and 71 others, of Monroe county, same object ;

No. 582. By Mr. Pennell : Petitions of Ephraim Sherwood and 169 others, same object ;

No. 583. By Mr. Francis : Petitions of Clark Hooper and 78 other voters of Antrim county, Jacob May and 108 other voters of Frankfort, Benzie county, P. J. Chappell and 129 others of Charlevoix county, W. W. Meddaugh and 116

others of Elmira, Otsego county, W. Douglass and 82 others, of Kalkaska county, and A. L. Faulkner and 38 others, of Grand Traverse county, same object;

No. 584. By Mr. Pulver: Petitions of Luther Pratt and 102 others, of Shiawassee county, same object;

No. 585. By Mr. Brown: Petition of E. P. Pierce and 173 others, of Augusta, Washtenaw county, same object;

No. 586. By the same: Petitions of Rev. Geo. H. Hunting, E. A. Crane, G. P. Mason, C. F. Hale, and 505 others, of Kalamazoo county, same object;

No. 587. By Mr. Edwards: Petition of George W. Forrest and 131 others, of Lake county, same object;

No. 588. By Mr. Phelps: Petitions of James Ashbury and 264 others, same object;

No. 589. By Mr. Belknap: Petitions of J. P. Simmons and 56 others, same object;

The 14 petitions were referred to the committee on liquor traffic.

No. 590. By Mr. Belknap: Petition of the W. O. T. U. of Wayland, in favor of municipal suffrage for women;

No. 591. By the same: Petition of the W. O. T. U. of New Troy, in favor of municipal suffrage for women;

No. 592. By the same: Petition of Mrs. P. L. Palmer and 97 other ladies of Paw Paw, same object;

The three petitions were referred to the committee on the judiciary.

No. 593. By Mr. Brown: Petition of Allen Potter and 119 others, of Kalamazoo, in favor of the pharmacy bill;

Referred to the committee on public health.

No. 594. By Mr. Francis: Petition of the county officers and 16 others, of Kalkaska county, in favor of the minority bill;

Referred to the committee on banks and incorporations.

No. 595. By Mr. Austin: Petition of R. A. Culver and 53 others of Calhoun county, for passage of Senate bill No. 69, relating to primary schools;

Referred to the committee on education and public schools.

#### REPORTS OF STANDING COMMITTEES.

By the committee on counties and townships:

The committee on counties and townships, to whom was referred

Senate bill No. 367, entitled

A bill to define and fix the boundary lines of school district No. 1 of the township of Portage, in the county of Houghton,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying substitute therefor, entitled

A bill to define and fix the boundary lines between school district No. 1 and school district No. 2 in the township of Portage, in the county of Houghton,

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the adoption of the substitute reported for the bill by the committee.

On motion of Mr. Stephenson,  
The rules were suspended, and the bill was placed on its immediate passage.  
The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Manwaring,	Mr. Shoemaker,
Brown,	Hawley,	Moon,	Smith, G. A.,
Carpenter,	Heisterman,	Pennell,	Smith, S. W.,
Cline,	Henry,	Phelps,	Stephenson,
Davenport,	Hertzler,	Pulver,	Woodruff,
Davis,	Hueston,	Sherwood,	President
Edwards,	Kempf,		<i>pro tem.</i> 26

## NAYS.

0

Title agreed to.

On motion of Mr. Stephenson,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committees on asylums for the insane and appropriations and finance:

The committees on asylums for the insane and appropriations and finance, to whom was jointly referred

Senate bill No. 147, entitled

A bill making appropriation for building a carpenter shop and purchasing machinery therefor; for building a kitchen, containing lodging-rooms for employes, and for building an infirmary and heating the same, at the Michigan asylum for the insane,

Respectfully report that they have had the same under consideration and have directed us to report the same back to the Senate without amendment, and with the recommendation that it do lie on the table, and ask to be discharged from the further consideration of the subject.

H. C. SPENCER,

*Chairman Committee on Asylums for the Insane.*

GEO. A. SMITH,

*Chairman Committee on Appropriations and Finance.*

Report accepted and committees discharged.

On motion of Mr. G. A. Smith,

The bill was laid on the table.

By the committees on appropriations and finance, and agricultural college:

The committees on appropriations and finance, and agricultural college, to whom was jointly referred

Senate bill No. 57, entitled

A bill to make an appropriation for the support of the State Agricultural College, for the erection and repair of buildings, and other improvements of said college,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do lie on the table, and ask to be discharged from the further consideration of the subject.

GEO. A. SMITH,

*Chairman Committee on Appropriations and Finance.*

C. J. MONROE,

*Chairman Committee on Agricultural College.*

Report accepted and committee discharged.

On motion of Mr. G. A. Smith,

The bill was laid on the table.

By the committees on State house of correction and appropriations and finance:

The committees on the State house of correction and appropriations and finance, to whom was jointly referred

House bill No. 204 (File No. 291), entitled

A bill to connect the State house of correction and reformatory and the asylum for insane criminals at Ionia, with the Ionia city water works,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEO. A. SMITH,

*Chairman Committee on Appropriations and Finance, and the Committee on State House of Correction.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

#### MESSAGES FROM THE HOUSE.

The President *pro tem.* announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 14, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following bills:

1. House bill No. 194 (File No. 268), entitled

A bill to establish a board of building inspectors in and for the city of Detroit, and to define its powers and duties;

2. House bill No. 206 (File No. 270), entitled

A bill to amend section 1 of an act entitled "An act to authorize the judges of probate in certain counties to appoint a register, and prescribing his duties and compensation," approved March 30, 1869, as amended, being compiler's section 535 of Howell's Annotated Statutes of Michigan;

3. House bill No. 532 (File No. 255), entitled

A bill to amend section 163 of chapter 178 of the compiled laws of 1871, being section 6976 of Howell's Annotated Statutes, relative to courts held by justices of the peace;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on cities and villages.

The second-named bill was read a first and second time by its title, and referred to the committee on judiciary.

The third-named was read a first and second time by its title, and referred to the committee on the judiciary.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 14, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following entitled bills:

1. House bill No. 487 (File No. 280), entitled

A bill to detach certain territory from the counties of Cheboygan and Presque Isle, and to organize the same into a new county, to be called Sumner county, and to detach certain territory from Presque Isle county and attach the same to Cheboygan county;

2. House bill No. 564 (File No. 215), entitled

A bill to amend act No. 303 of the session laws of 1875, entitled "An act to amend an act entitled an act to amend an act entitled an act to revise the charter of the city of Holland, being amendatory of an act entitled an act to incorporate the city of Holland, approved March 25, 1867, approved March 25, 1867, 1, which became a law April 2, 1873," approved April 1, 1875, as amended by act No. 268 of the session laws of 1877, approved March 22, 1877, by adding a new title thereto to stand as title 26, relative to a board of water commissioners;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on counties and townships.

The second named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 14, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following entitled bills:

1. House bill No. 248 (File No. 269), entitled

A bill to amend section 2 of an act entitled "An act to amend sections 2, 3, and 5, of chapter 240 of the compiled laws of 1871, the same being compiler's sections 7478, 7479, and 7481," the same being section 9053 of Howell's Annotated Statutes, relative to the fees of justices of the peace, constables, and sheriffs in criminal cases;

2. House bill No. 542, (File No. 272) entitled

A bill to provide for and preserve the purity of the judiciary;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on the judiciary.

The second bill was read a first and second time by its title, and referred to the committee on the judiciary.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 14, 1885.* }

*To the President of the Senate:*

SIR,—I am instructed by the House to return to the Senate the following entitled bill:

Senate bill No. 35 (File No. 36), entitled

A bill for the relief of purchasers and settlers on swamp land and to repeal act No. 166 session laws of 1855 and act No. 173, session laws of 1867, the same being sections 5386 and 5387, Howell's Annotated Statutes;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect;

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

#### MOTIONS AND RESOLUTIONS.

Mr. Kempf moved that the committee of the whole be discharged from the further consideration of

Senate bill No. 282 (File No. 188), entitled

A bill to amend the charter of the city of Ann Arbor;

Which motion prevailed.

On motion of Mr. Kempf.

The bill was put on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor by yeas and nays as follows:

#### YEAS.

Mr. Austin,	Mr. Francis,	Mr. Manwaring,	Mr. Smith, G. A.,
Brown,	Hawley,	Moon,	Smith, S. W.,
Carpenter,	Heisterman,	Pennell,	Spencer,
Carveth,	Henry,	Phelps,	Stephenson,
Cline,	Hertzler,	Pulver,	Woodruff,
Davenport,	Hueston,	Sherwood,	President
Edwards,	Kempf,	Shoemaker,	<i>pro tem.</i> , 27

#### NAYS.

0

Title agreed to.

On motion of Mr. Kempf,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. G. A. Smith moved to take from the table,

Senate bill No. 65 (File No. 42), entitled

A bill to amend sections 1, 2, 3, 5, and 6 of "An act establishing a State agency for the care of juvenile offenders," approved April 29, 1873, as amended by "An act to amend section 1" of said act, approved March 19, 1875;

Which motion prevailed.

On motion of Mr. G. A. Smith,

The bill was recommitted to the committee of the whole, and placed on the general order.

Mr. Austin moved that

Senate bill No. 345 (File No. 140), entitled

A bill to amend section 5 of act No. 79 of the session laws of 1873, entitled "An act to provide for the appointment of a Commissioner of Railroads, and to define his powers, duties, and fix his compensation," and the acts amendatory thereof,

Be taken from the table and be recommitted to the committee of the whole;  
Which motion prevailed.

Mr. Kempf moved that the following bills be taken from the general order and made a special order for Friday April 17, at 2 o'clock in the afternoon viz.:

1. House bill No. 100 (File No. 50), entitled

A bill to establish a State Board of Fish Commissioners, and to repeal act No. 124, session laws of 1873, act No. 71, session laws of 1875, and act No. 3, session laws of 1882;

2. House bill No. 147 (File No. 52), entitled

A bill to amend sections 2, 8, and 12 of an act entitled "An act to regulate the catching of fish in certain waters of this State," being act No. 188 of the session laws of 1875, approved May 1, 1875;

3. House bill No. 126 (File No. 118), entitled

A bill to amend section 3 of an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, designated as section 2165, chapter 63, of the general statutes in force;

4. House bill No. 224 (File No. 136), entitled

A bill to amend an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, being act No. 350, session laws of 1865, by adding two new sections to be designated as sections 12 and 13;

5. House bill No. 599 (File No. 216), entitled

A bill to amend section 4 of an act entitled "An act to protect fish and preserve fisheries of this State," approved March 21, 1865, act No. 350 session laws of 1865, being section 2166 of Howell's Annotated Statutes;

Which motion prevailed by a two-thirds vote of all the Senators present.

#### QUESTION OF PRIVILEGE.

Mr. Henry, referring to certain articles published in the Lakeside Monitor of April 4 and 11, stated that the same were false, and asked that investigation of the same be made by the committee on cities and villages,

Whereupon Mr. Carveth offered the following resolution:

*Resolved*, That the committee on cities and villages be requested to investigate and report to the Senate whether the official conduct of Hon. Chas. R. Henry, Senator from the 29th district, in connection with the several bills relating to the incorporation of the territory embraced in the villages of Au Sable and Oscoda, in Iosco county, has been honorable or otherwise, and especially whether the following charges contained in the "Lake Side Monitor" newspaper of April 11, 1885, are true or otherwise:

"When the time came for acting Messrs. Loud, Duncan, and Orth went to Lansing to present the union side of the question, under promise of Mr. Henry that a union meeting of the committees of both houses would be had on a certain day, the subject presented to them pro and con, and that he would take the bill from the table and have it acted upon as soon as the committee had reported. When the day for the meeting of the committees arrived, no anti-



city men were on hand and Mr. Henry declined to call the committees together. A meeting of the committees was had despite Mr. Henry's efforts to the contrary, and the city men given a hearing. The committees announced that they should report favorably, and Mr. Henry, hearing of this, immediately posted off home, the town boards called together and the proposed vote on the question given out."

Also, whether the following from said Monitor of April 4th, viz:

*"There are names there of men who signed three petitions, one in favor of incorporating the village of Oscoda, one protesting against the passage of the fish law, and one protesting against the city, and these have all been put together and called a remonstrance against the city. Will fair-minded men either for or against the city countenance such crookedness by their support? When men opposed to any measure which is being conducted openly and fairly, will stoop to such underhanded means to defeat it, 'there's something rotten in Denmark.' The leaders in the opposition to the city have practically admitted by the means they have employed that they have no ground on which to base their opposition."*

Referred to said Senator Henry, and if so, whether he has been guilty of any dishonorable acts in the premises as stated;

Which was adopted.

#### THIRD READING OF BILLS.

Senate bill No. 178 (File No. 165), entitled

A bill to amend act No. 192 of the public acts for the year 1879, being section 9315 of Howell's Annotated Statutes, relative to punishment for libel and slander, and to add one new section thereto to stand as section 2.

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent, Mr. Francis moved to amend the bill as follows:

By inserting the following to stand as an enacting section: "SEC. 1. *The People of the State of Michigan enact*, That section 1 of act number 192, of the public acts of 1879, being section 9315 of Howell's Annotated Statutes, be and the same is hereby amended, and that a new section be added to said act to stand as section 2, said sections respectively to read as follows;"

Which motion prevailed, and the bill was so amended.

The bill as amended was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Kempf,	Mr. Sherwood,
Brown,	Francis,	Manwaring,	Smith, S. W.,
Carpenter,	Henry,	Monroe,	Woodruff,
Carveth,	Hertzler,	Moon,	President
Cline,	Hueston,	Phelps,	<i>pro tem.</i> 19

#### NAYS.

Mr. Shoemaker,

1

Title agreed to.

Senate bill No. 193 (File No. 172), entitled

A bill to amend section 45 of chapter 147 of the compiled laws of 1871, relative to estates in real property, being section 5561 of Howell's Annotated Statutes,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Kempf,	Mr. Sherwood,
Brown,	Francis,	Manwaring,	Shoemaker,
Carpenter,	Hawley,	Monroe,	Smith, S. W.,
Carveth,	Heisterman,	Moon,	Spencer,
Cline,	Henry,	Pennell,	Stephenson,
Davenport,	Hertzler,	Phelps,	Woodruff,
Davis,	Hueston,	Pulver,	President
			<i>pro tem.</i> , 28
			0

## NAYS.

Title agreed to.

On motion of Mr. Spencer,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 103 (File No. 173), entitled

A bill to amend section 18 of chapter 266 of the compiled laws of 1871, being section 9651 of Howell's Statutes,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Pulver,
Brown,	Hawley,	Kempf,	Shoemaker,
Carveth,	Heisterman,	Manwaring,	Smith, G. A.,
Cline,	Henry,	Monroe,	President
Davenport,	Hertzler,		<i>pro tem.</i> , 18

## NAYS.

Mr. Phelps,	Mr. Woodruff,	2
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The question being on agreeing to the title,

Mr. Shoemaker moved to amend the title so as to read as follows:

A bill to amend section 18 of chapter 266 of the compiled laws of 1871, being section 9651 of Howell's Statutes, relative to the inspection of county jails and the regulation thereof;

Which motion prevailed.

The title as amended was then agreed to.

Senate bill No. 208 (File No. 179), entitled

A bill to provide for the collection and publication of statistics of divorce within this State,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows.

## YEAS.

Mr. Austin,	Mr. Davis,	Mr. Monroe,	Mr. Smith, S. W.,
Brown,	Hawley,	Moon,	Spencer,
Carpenter,	Henry,	Phelps,	Stephenson,
Carveth,	Hertzler,	Sherwood,	Woodruff,
Cline,	Kempf,	Smith, G. A.	President
			<i>pro tem.</i> 20

## NAYS.

Mr. Edwards,	Mr. Francis,	Mr. Heisterman,	Mr. Manwaring,	4
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Title agreed to.

On motion of Mr. Woodruff,  
The Senate took a recess until 2 o'clock P. M.

### AFTERNOON SESSION.

2 o'clock P. M.

The Senate met and was called to order by the President *pro tem*.

Roll called: a quorum present.

The Senate resumed the order of

### THIRD READING OF BILLS.

Senate bill No. 366 (File No. 182), entitled

A bill to fix the liability of sureties on the bonds of public officers,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent, Mr. Carveth moved to amend the bill as follows:

By adding the following to section 3, "And any such surety may justify before any justice of the peace of the township or city in which he resides, by an affidavit to be attached to such bond;"

Which motion prevailed, and the bill was so amended.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Austin,	Mr. Francis,	Mr. Kempf,	Mr. Shoemaker,
Brown,	Hawley,	Monroe,	Smith, G. A.,
Carpenter,	Heisterman,	Moon,	Smith, S. W.,
Carveth,	Henry,	Pennell,	Spencer,
Oline,	Hertzler,	Phelps,	Stephenson,
Davenport,	Hubbell,	Pulver,	Woodruff,
Davis,	Hueston,	Sherwood,	President
Edwards,			<i>pro tem.</i> 29

### NAYS.

0

Title agreed to.

On motion of Mr. Hubbell,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 162 (File No. 122), entitled

A bill to amend chapter 245 of the compiled laws of 1871, being chapter 318 of title 39 of Howell's Annotated Statutes, relative to "offenses against property," and to stand as section 9176a,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Austin,	Mr. Hawley,	Mr. Manwaring,	Mr. Shoemaker,
Brown,	Heisterman,	Monroe,	Smith, G. A.,
Carpenter,	Henry,	Moon,	Smith, S. W.,
Carveth,	Hertzler,	Pennell,	Spencer,
Davenport,	Hubbell,	Phelps,	Stephenson,
Davis,	Hueston,	Pulver,	Woodruff,
Edwards,	Kempf,	Sherwood,	President
Francis,			<i>pro tem.</i> , 29

## NAYS.

0

Title agreed to.

Mr. Hawley moved to reconsider the vote by which the Senate passed Senate bill No. 178 (File No. 165), entitled

A bill to amend act No. 192 of the public acts for the year 1879, being section 9315 of Howell's Annotated Statutes, relative to the punishment of libel and slander, and to add one new section thereto to stand as section 2;

Upon which Mr. Henry called for the yeas and nays.

The motion then prevailed, by yeas and nays as follows:

## YEAS.

Mr. Austin,	Mr. Hawley,	Mr. Monroe,	Mr. Sherwood,
Brown,	Heisterman,	Moon,	Shoemaker,
Davenport,	Hueston,	Pennell,	Smith, G. A.,
Edwards,	Manwaring,	Pulver,	President
			<i>pro tem.</i> , 16

## NAYS.

Mr. Carpenter,	Mr. Francis,	Mr. Kempf,	Mr. Smith, S. W.,
Oline,	Henry,	Phelps,	Woodruff,
Davis,	Hubbell,		
			10

The question being on the passage of the bill;

On motion of Mr. G. A. Smith,

The bill was recommitted to the committee on the judiciary.

Senate bill No. 155 (File No. 129) entitled

A bill to provide for the punishment of public officers, their servants and agents, who knowingly and unlawfully appropriate to their own use, or the use of others, the money or property committed to their care,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent, Mr. Carveth moved to amend the bill as follows:

By striking out of section 1 line 4 the word "he" and inserting in lieu thereof the words "the person so offending."

Which motion prevailed and the bill was so amended.

The bill as amended was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Hawley,	Mr. Moon,	Mr. Spencer,
Brown,	Hubbell,	Pennell,	Stephenson,
Carveth,	Hueston,	Phelps,	Woodruff,
Davis,	Manwaring,	Pulver,	President
Francis,	Monroe,	Smith, S. W.,	<i>pro tem.</i> , 19

## NAYS.

Mr. Carpenter,	Mr. Edwards,	Mr. Henry,	Mr. Shoemaker,
Cline,	Greiner,	Hertzler,	Smith, G. A.,
Davenport,	Heisterman,	Kempf,	
			11

Title agreed to.

Senate bill No. 66 (File No. 130), entitled

A bill to amend section 5076 of the compiled laws of 1871, being section 6630 of Howell's Statutes, relative to the service of subpoenas in courts of chancery,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Kempf,	Mr. Shoemaker,
Brown,	Greiner,	Manwaring,	Smith, G. A.,
Carpenter,	Hawley,	Monroe,	Smith, S. W.,
Carveth,	Heisterman,	Moon,	Spencer,
Cline,	Henry,	Pennell,	Stephenson,
Davenport,	Hertzler,	Phelps,	Woodruff,
Davis,	Hubbell,	Pulver,	President
Edwards,	Hueston,	Sherwood,	<i>pro tem.</i> , 31

## NAYS.

0

Title agreed to.

Senate bill No. 317 (File No. 169), entitled

A bill to provide for assigning errors on the charge of any circuit court given to the jury in any civil or criminal suit, action or proceeding,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Kempf,	Mr. Shoemaker,
Brown,	Greiner,	Manwaring,	Smith, G. A.,
Carpenter,	Hawley,	Monroe,	Smith, S. W.,
Carveth,	Heisterman,	Moon,	Stephenson,
Davis,	Hertzler,	Pennell,	President
Edwards,	Hueston,	Pulver,	<i>pro tem.</i> , 23

## NAYS.

2

Mr. Hubbell, Mr. Phelps,

Title agreed to.

Senate bill No. 84 (File No. 170), entitled

A bill to amend section 8, and to repeal sections 13, 14, 15, and 16 of act No. 215 of the session laws of 1873, entitled "An act to incorporate the village of Howard City," approved March 14, 1873, and to add one new section thereto, to stand as section 39,

Was read a third time and passed, a majority of all the senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Francis,	Mr. Kempf,	Mr. Sherwood,
Brown,	Greiner,	Manwaring,	Shoemaker,
Carpenter,	Hawley,	Monroe,	Smith, S. W.,
Carveth,	Heisterman,	Moon,	Spencer,
Davenport,	Henry,	Pennell,	Stephenson,
Davis,	Hertzler,	Phelps,	President
Edwards,	Hueston,	Pulver,	<i>pro tem.</i> , 27

## NAYS.

0

Title agreed to.

On motion of Mr. Francis,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 218 (File No. 181), entitled

A bill to provide for an appropriation for the preparation, publication, and

distribution of the proceedings of the annual meetings of the Michigan Superintendents of the Poor for the years 1885 and 1886,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Anstin,	Mr. Greiner,	Mr. Kempf,	Mr. Sherwood,
Brown,	Hawley,	Manwaring,	Shoemaker,
Carpenter,	Heisterman,	Monroe,	Smith, S. W.,
Carveth,	Henry,	Moon,	Spencer,
Davenport,	Hertzler,	Pennell,	Stephenson,
Edwards,	Hubbell,	Phelps,	Woodruff,
Francis,	Hueston,	Pulver,	President,
			<i>pro tem.</i> , 28

## NAYS.

Mr. Davis,

1

Title agreed to.

On motion of Mr. Phelps,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Henry moved to take from the table

Senate bill No. 351, entitled

A bill relative to particulars in action of trover and replevin;

Which motion prevailed,

On motion of Mr. Henry,

The bill was referred to the judiciary committee.

Mr. Pennell moved to take from the table

Senate bill No. 93 (File No. 66), entitled

A bill to amend sections 2, 3 (as amended by act No. 22 of the session laws of 1883), and 5 of act No. 127, of the session laws of 1879, entitled "An act to provide for inspection of illuminating oils manufactured from petroleum or coal oils, and to repeal act No. 181 of the session laws of 1875, approved May 1, 1875, and act No. 196 of the session laws of 1877, approved May 22, 1877," being sections 1538, 1539, and 1541 of Howell's Annotated Statutes of Michigan;

Which motion prevailed.

On motion of Mr. Pennell,

The bill was placed on the order of third reading of bills, and made the special order for April 16, at 2 o'clock P. M.

Mr. Edwards offered the following resolution;

*Resolved*, That the authorship of Senate bill No. 178 (File No. 165), having been ascertained to belong to Senator Henry instead of Senator Edwards, whose name appears on the face of said bill, it is hereby ordered that Senator Edwards be relieved of said authorship, and the same be restored to Senator Henry.

On motion of Mr. Henry,

The resolution was referred to the committee on the judiciary.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate bill No. 36 (File No. 36), entitled

A bill for the relief of purchasers and settlers on swamp land, and to repeal

act No. 166, session laws of 1855, and act No. 173, session laws of 1867, the same being sections 5386 and 5397 Howell's Annotated Statutes.

J. W. BELKNAP, *Chairman*.

Report accepted.

On motion of Mr. Henry,

The Senate went into executive session, the time being 3:40 o'clock P. M.

The executive session closed, the time being 4:05 o'clock P. M.

Mr. Carveth moved that the rules be suspended for the purpose of reconsidering the vote by which the Senate, on April 10, refused to pass

Senate bill No. 344 (File No. 148), entitled

A bill to amend section 107 of chapter 14 of the revised statutes of 1846, being section 597 of the compiled laws of 1871 and section 626 of Howell's Annotated Statutes, relative to the appointment of notaries public;

Which motion prevailed.

Mr. Carveth moved to reconsider the vote by which the Senate refused to pass the bill;

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Carveth,

The bill was referred to the committee on the judiciary.

#### GENERAL ORDER.

On motion of Mr. Brown,

The Senate went into committee of the whole on the general order.

Mr. Hueston in the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following:

1. Senate bill No. 201 (File No. 64), entitled

A bill to extend aid to the University of Michigan, and to repeal section 1 of act No. 32 of the session laws of 1873, being section 4944 of Howell's Annotated Statutes;

2. Senate bill No. 202 (File No. 65), entitled

A bill making an appropriation for the use and maintenance of the University of Michigan;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

JAMES HUESTON, *Chairman*.

Report accepted and committee discharged.

The two named bills were placed on the order of third reading of bills.

On motion of Mr. Manwaring,

The Senate adjourned.

*Lansing, Thursday, April 16, 1885.*

The Senate met and was called to order by the President *pro tem.* at 10 o'clock A. M.

Prayer by the Rev. Mr. Franklin.

Roll called : a quorum present.

PETITIONS.

No. 596. By Mr. Carpenter : Petition of William Francisco and 79 other voters of Adrian, for the submission of the prohibitory amendment to the people prohibiting the sale and manufacture of all liquors ;

No. 597. By the same : Petitions of H. O. Pratt, Wm. H. Babbitt, and 56 others, same object ;

No. 598. By Mr. Kempf : Petitions of May A. Clark, May A. Jackson, and 65 others, same object ;

No. 599. By Mr. Sherwood : Petition of 31 citizens of Berrien county, same object ;

No. 600. By Mr. Carveth : Petitions of M. J. Lucas, A. E. Kipp, and 147 others, same object ;

No. 601. By Mr. Hertzler : Petition of E. P. Gee and 31 others, of Monroe county, same object ;

No. 602. By Mr. Greiner : Petitions of Edward Garratt, Mrs. John Mitchell, and 67 others, same object ;

No. 603. By Mr. Manwaring : Petitions of John Thomas, J. J. Phelps, and 117 others, of Lapeer county, same object ;

No. 604. By Mr. Davis : Petition of John Todd and 110 other citizens and voters of West Bay City, same object ;

No. 605. By Mr. Heisterman : Petition of R. Smith and 563 others, of Bad Axe and Port Austin, same object ;

No. 606. By Mr. Cline : Petitions of R. S. Patterson and 539 others, same object ;

No. 607. By Mr. Woodruff : Petitions of George L. Haight and 341 others, of Mt. Pleasant, same object ;

No. 608. By Mr. Hueston : Petition of Stephen D. Smith and 101 others, of Wayne county, same object ;

No. 609. By Mr. Henry : Petition of Wm. H. Allman and 25 others, same object ;

No. 610. By Mr. Phelps : Petitions of E. Wright, L. A. Baker, A. Withrow, Arthur E. Rupert, W. B. Maxwell, and 244 others, of Osceola county, J. G. McKay and 155 others, of Manistee, same object ;

No. 611. By Mr. Brown : Petition of J. C. Bishop, F. A. Vandewalker, and 103 others, of Burr Oak, St. Joseph county, same object ;

No. 612. By Mr. Spencer : Petitions of Annie C. Elwood, Geo. W. Fish, E. Jewell, and 151 others, of Flint and Gaines, in Genessee county, same object ;

No. 613. By Mr. Belknap : Petitions of M. F. Thomas, Geo. A. Chatterton, and 53 others, of Hubbardston, Ionia county, and Mrs. Nellie Terry and 13 others, of Montcalm county, same object ;

No. 614. By Mr. Hubbell : Petitions of Wm. Cruse and 225 others, same object ;

The 19 petitions were referred to the committee on liquor traffic.



No. 615. By Mr. Curtiss: Resolutions of Assembly No. 76, Knights of Labor, of Grand Rapids, in regard to prison labor;

On motion of Mr. Curtiss,

The resolutions were ordered printed in the Journal and referred to the committee on labor.

The following are the resolutions:

*Grand Rapids, Mich., April 13, 1885.*

*To the Honorable Senate and House of Representatives, in Lansing assembled:*

At a regular meeting of District Assembly No. 76 of the Knights of Labor, held Saturday evening, April 11, 1885, the following was unanimously adopted:

WHEREAS, In our judgment the manufacture and sale of merchandise by prison labor at contract rates is detrimental to the interests of free laborers, and that our system of punishing criminals ought not to punish the innocent, as the prison contract system now does; therefore,

*Resolved*, That we urge upon our Senators and Representatives the propriety of enacting laws providing for the abolishment of prison labor contracts, and for marking as such all prison-made goods brought into this State for sale.

CHAS. L. SHATTUCK, R. S.

L. V. MOULTON, M. W.

No. 616. By Mr. Cline: Petition of C. H. Chamberlain, B. W. Jenks, and 52 others, of St. Clair, for the passage of the pharmacy bill;

No. 617. By Mr. Hueston: Petition of G. W. Granger and 71 others, of Detroit, same object;

The two petitions were referred to the committee on public health.

No. 618. By Mr. Sherwood: Petition of B. Hinchman and 52 other citizens of Berrien county, relative to the equalizing of soldiers' bounties;

Referred to committee on military affairs.

No. 619. By Mr. Monroe: Petitions of John Ihling, C. D. Lawton, and 116 others, of Van Buren county, against the passage of the minority bill;

Referred to the committee on banks and incorporations.

#### REPORTS OF STANDING COMMITTEES.

By the committees on public lands:

The committee on public lands, to whom was referred

House bill No. 689 (File No. 141), entitled

A bill making an appropriation of State swamp lands to aid the county of Gratiot to remove bars and obstructions in Maple river, and to authorize a tax to complete the same, and to repeal act No. 50 of the session laws of 1881, entitled an act to authorize the board of control of State swamp lands to make an appropriation of swamp lands to remove bars and obstructions in Maple river, in the counties of Clinton and Gratiot, approved March 26, 1881;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. MANWARING, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

House joint resolution No. 14 (File No. 18), entitled

Joint resolution relative to unearned land grants,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without recommendation, and ask to be discharged from the further consideration of the subject.

J. MANWARING, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Manwaring,

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred

Senate bill No. 156, entitled

A bill to detach certain territory from the union school district of the township of Rogers;

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, with the accompanying substitute therefor, with same title, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Carveth,

The Senate concurred in the adoption of the substitute reported for the bill by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

Senate bill No. 276 (File No. 83), entitled

A bill to amend section 1 of act No. 352 of the session laws of 1879, approved April 19, 1879, entitled "An act to incorporate the village of Vassar,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying substitute therefor, having the same title, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Francis,

The Senate concurred in the adoption of the substitute reported for the bill by the committee.

On motion of Mr. Davis,

The rules were suspended and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Sherwood,
Brown,	Francis,	Kempf,	Shoemaker,
Carpenter,	Greiner,	Manwaring,	Smith, G. A.,
Carveth,	Hawley,	Monroe,	Smith, S. W.,
Cline,	Heisterman,	Moon,	Spencer,

Mr. Curtiss,  
Davenport,  
Davis,

Mr. Henry,  
Hertzler,  
Hubbell,

Mr. Pennell,  
Phelps,  
Pulver,

Mr. Stephenson,  
Woodruff,  
President

*pro tem.* 32

NAYS.

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Title agreed to.

On motion of Mr. Davis,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committees on State reform school and appropriations and finance: The committees on State reform school and appropriations and finance, to whom was jointly referred

House bill No. 312 (File No. 314), entitled

A bill making appropriations for the current expenses and for buildings, etc., for the Reform School for the years 1885 and 1886,

Respectfully report that they have had the same under consideration, and have directed us to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

H. C. SPENCER,

*Chairman Committee on Reform School.*

GEO. A. SMITH,

*Chairman Committee on Appropriations and Finance.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on printing:

The committee on printing, to whom was referred the following resolution, to wit:

*Resolved*, That the committee on printing be requested to ascertain if the printing of a less number of legislative Journals will not meet the wants of the Senate,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that no change be made in the number of Journals printed for the use of the Senate, and ask to be discharged from the further consideration of the subject.

J. W. BELKNAP, *Chairman.*

Report accepted.

On motion of Mr. Manwaring,

The report was adopted.

#### MESSAGE FROM THE GOVERNOR.

The President *pro tem.* announced the following:

EXECUTIVE OFFICER, }  
Lansing, April 15, 1885. }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State,

[Senate bill No. 234 (File No. 101), being]

An act to amend section 2 of an act entitled "An act to authorize the formation of county and town agricultural societies," approved February 12,

1855, and amended by act 228 of the laws of 1881, being section 2169 of the compiled laws of 1871, the same being section 2304 of Howell's Annotated Statutes.

R. A. ALGER, *Governor.*

The message was laid on the table.

#### MESSAGES FROM THE HOUSE.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 15, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following entitled bills:

1. House bill No. 321 (File No. 284), entitled

A bill to amend section 19 of chapter 154 of the revised statutes of 1846, being compiler's section 9141 of Howell's General Statutes of the State of Michigan, relative to offenses against property;

2. House bill No. 37 (File No. 182), entitled

A bill to amend sections 4 and 5 of an act entitled "An act to provide for the construction and maintenance of stone and macadamized roads in Bay county," approved April 24, 1883,

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on roads and bridges.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 15, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit to the Senate the following entitled bill:

House bill No. 355, entitled

A bill to detach certain territory from the township of Kawkawlin and attach the same to the township of Bangor, in Bay county,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on counties and townships.

#### MOTIONS AND RESOLUTIONS.

Mr. Hawley moved to take from the table the following:

1. Senate joint resolution No. 20 (File No. 9), entitled

Joint resolution proposing an amendment to section 10 of article 10 of the constitution of this State, relative to the board of auditors of Wayne county;  
2. Senate joint resolution No. 21 (File No. 10), entitled

Joint resolution proposing an amendment to section 28 of the schedule of the constitution of this State, relative to the Governor's appointments,

Which motion prevailed.

On motion of Mr. Hawley,

The two joint resolutions were placed on the order of third reading.

### THIRD READING OF BILLS.

Senate bill No. 201 (File No. 64), entitled

A bill to extend aid to the University of Michigan, and to repeal section 1 of act No. 32 of the session laws of 1873, being section 4944 of Howell's Annotated Statutes;

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hubbell,	Mr. Shoemaker,
Brown,	Francis,	Hueston,	Smith, S. W.,
Carpenter,	Greiner,	Kempf,	Spencer,
Carveth,	Hawley,	Monroe,	Stephenson,
Cline,	Heisterman,	Moon,	Woodruff,
Davenport,	Henry,	Pennell,	President
Davis,	Hertzler,	Pulver,	<i>pro tem.</i> , 27

#### NAYS.

Mr. Curtiss,	Mr. Manwaring,	Mr. Phelps,	3
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Title agreed to.

On motion of Mr. Shoemaker,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 202 (File No. 65), entitled

A bill making an appropriation for the use and maintenance of the University of Michigan,

Was read a third time and the question being upon its passage, pending the taking of the vote thereon,

Mr. Pulver moved that he be allowed to offer an amendment to the bill at this time;

Which motion prevailed.

Mr. Pulver moved to amend the bill as follows:

By striking out section 4 of the bill.

Mr. Pulver called for the yeas and nays.

The amendment was not agreed to, by yeas and nays, as follows:

#### YEAS.

Mr. Brown,	Mr. Curtiss,	Mr. Greiner,	Mr. Phelps,
Carpenter,	Davenport,	Manwaring,	Pulver,
Cline,			

9

#### NAYS.

Mr. Austin,	Mr. Hawley,	Mr. Kempf,	Mr. Smith, S. W.,
Carveth,	Heisterman,	Monroe,	Spencer,

Mr. Davis,	Mr. Hertzler,	Mr. Moon,	Mr. Stephenson,
Edwards,	Hubbell,	Pennell,	President
Francis,	Hueston,	Shoemaker,	<i>pro tem.</i> , 19

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hubbell,	Mr. Phelps,
Brown,	Francis,	Hueston,	Shoemaker,
Carpenter,	Greiner,	Kempf,	Smith, S. W.,
Carveth,	Hawley,	Manwaring,	Spencer,
Cline,	Heisterman,	Monroe,	Stephenson,
Curtiss,	Henry,	Moon,	Woodruff,
Davenport,	Hertzler,	Pennell,	President,
Davis,			<i>pro tem.</i> , 29

## NAYS.

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Title agreed to.

On motion of Mr. Shoemaker,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

enate joint resolution No. 20 (File No. 9), entitled

oint resolution proposing an amendment to section 10 of article 10 of the constitution of this State, relative to the board of auditors of Wayne county,

Was read a third time and pending the taking of the vote thereon,

By unanimous consent, Mr. Hawley moved to amend the joint resolution as follows:

By striking out the following words:

*"Resolved, That the said proposition shall be submitted to the electors of this State at the next spring election to take place on the first Monday in April, A. D, 1885, and the Secretary of State,"*

And inserting in lieu thereof these words

*"Be it further resolved, That said constitutional amendment shall be submitted to the electors of the State at the general election to be held on the Tuesday succeeding the first Monday in November, in the year 1886, and the Secretary of State;"*

Which motion prevailed.

The joint resolution was then passed, two-thirds of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hueston,	Mr. Pulver,
Brown,	Francis,	Kempf,	Sherwood,
Carpenter,	Greiner,	Manwaring,	Smith, G. A.,
Carveth,	Hawley,	Monroe,	Smith, S. W.,
Cline,	Heisterman,	Moon,	Spencer,
Curtiss,	Hertzler,	Pennell,	President

*pro tem.*, 24

## NAYS.

0

Title agreed to.

The following is the joint resolution:

**JOINT RESOLUTION** Proposing an amendment to section 10 of article 10 of the constitution of this State relative to the board of auditors of Wayne county.

*Resolved by the Senate and House of Representatives of the State of Michigan,* That there shall be submitted to the electors of this State for their approval or rejection, the following amendment to section 10 of article 10 of the constitution of this State:

**SEC. 10.** The board of supervisors, or in the county of Wayne the board of county auditors, shall have the exclusive power to prescribe and fix the compensation for all services rendered for, and to adjust all claims against their respective counties, and the sum so fixed or defined shall be subject to no appeal: *Provided,* That the Legislature shall have power to regulate, control, modify, or abolish the board of county auditors of Wayne county, and may by law provide for the auditing of the accounts of Wayne county.

*Be it further resolved,* That said constitutional amendment shall be submitted to the electors of the State at the general election to be held on the Tuesday succeeding the first Monday in November, in the year 1886, and the Secretary of State is hereby required to give notice of the same to the sheriffs of the several counties of this State in the same manner that he is now required to do in the case of the election of a governor and lieutenant governor, and the several townships and cities in this State shall prepare a suitable box for the reception of ballots cast for or against said proposition. Each person voting for said proposition shall have written or printed, or partly written and partly printed on his ballot the words: "Amendment to the constitution relative to board of auditors of Wayne county—Yes;" and each person voting against said proposition shall have written or printed, or partly written and partly printed on his ballot the words: "Amendment to the constitution relative to the board of auditors of Wayne county—No." The ballots shall in all respects be canvassed and returns made as in the election of governor and lieutenant governor.

On motion of Mr. Pulver,

The Senate took a recess until 2 o'clock P. M.

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#### AFTERNOON SESSION.

*2 o'clock P. M.*

The Senate met and was called to order by the President *pro tem*.

Roll called: a quorum present.

#### SPECIAL ORDER,

Being the consideration of

Senate bill No. 93 (File No. 66) entitled

A bill to amend sections 2, 3 (as amended by act No. 22 of the session laws of 1883), and 5 of act No. 127 of the session laws of 1879, entitled "An act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils, and to repeal act No. 181 of the session laws of 1875, approved May 1, 1875, and act No. 196 of the session laws of 1877, approved May 22, 1877," being sections 1538, 1539, and 1541 of Howell's Annotated Statutes of Michigan.

Mr. Phelps moved that the bill be made a special order for 2:30 o'clock this P. M.;

Which motion did not prevail.

The bill was then read a third time, and, the question being upon its passage, pending the taking of the vote thereon.

Mr. Phelps moved that he be allowed to offer an amendment to the bill;

Which motion did not prevail.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Brown,	Mr. Greiner,	Mr. Kempf,	Mr. Smith, G. A.,
Carveth,	Hawley,	Mauwaring,	Smith, S. W.,
Oline,	Heisterman,	Pennell,	Stephenson,
Davenport,	Hertzler,	Pulver,	Woodruff,
Davis,	Hubbell,	Sherwood,	19

#### NAYS.

Mr. Carpenter,	Mr. Monroe,	Mr. Phelps,	Mr. President
Curtiss,	Moon,		<i>pro tem.</i> 6

#### QUESTION OF PRIVILEGE.

Mr. Hubbell arose to a question of privilege, and read an item from the "Grand Rapids Evening Leader" of Wednesday, April 15., 1885, in which S. D. Olay charged Mr. Hubbell with introducing resolutions of sympathy for General Grant for partisan purposes.

Mr. Hubbell read from the House Journal showing that the resolutions referred to had been introduced by Representative Campbell, and there had been unanimously adopted.

The Senate then resumed the order of

#### THIRD READING OF BILLS.

Senate joint resolution No. 21 (File No. 10), entitled

Joint resolution proposing an amendment to section 28 of the schedule of the constitution of this State, relative to the Governor's appointments,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent, Mr. Hawley moved to amend the joint resolution as follows:

By striking out the following:

"*Resolved*, That the said proposition shall be submitted to the electors of this State at the next spring election to take place on the first Monday in April, A. D. 1885, and the Secretary of State;"

And inserting in lieu thereof the following:

"*Be it further resolved*, That said constitutional amendment shall be submitted to the electors of the State at the general election to be held on the Tuesday succeeding the first Monday in November, in the year 1886, and the Secretary of State;"

Which motion prevailed and the joint resolution was so amended.

The joint resolution was then passed, two-thirds of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Smith, S. W.,
Brown,	Francis,	Kempf,	Spencer,



Mr. Carpenter, Carveth, Cline, Curtiss, Davenport,	Mr. Greiner, Hawley, Hertzler, Hubbell,	Mr. Manwaring, Moon, Pennell, Pulver,	Mr. Stephenson, President, Sherwood, Smith, G. A.,
			25

## NAYS.

Mr. Edwards,	Mr. Heisterman,	2
Title agreed to.		
The following is the joint resolution :		

**JOINT RESOLUTION** proposing an amendment to section 28 of the schedule of the constitution of this State relative to the Governor's appointments.

*Resolved by the Senate and House of Representatives of the State of Michigan,* That there shall be submitted to the electors of this State, for their approval or rejection, the following amendment:

**SEC. 28.** The terms of office of all State and county officers, of the circuit judges, members of the board of education, and members of the Legislature, shall begin on the first day of January next succeeding their election: *Provided,* That the terms of office of all State officers appointed by the Governor, with or without the advice and consent of the Senate, shall commence on the first day of February next succeeding their appointment.

*Be it further resolved,* That said constitutional amendment shall be submitted to the electors of the State at the general election to be held on the Tuesday succeeding the first Monday in November, in the year 1886, and the Secretary of State is hereby required to give notice of the same to the sheriffs of the several counties of this State in the same manner that he is now required to do in the case of the election of Governor and Lieutenant Governor, and the several townships and cities in this State shall prepare a suitable box for the reception of ballots cast for or against said proposition. Each person voting for said proposition shall have written or printed, or partly written and partly printed on his ballot the words: "Amendment to the constitution relative to the Governor's appointments—Yes;" and each person voting against said proposition shall have written or printed or partly written and partly printed on his ballot the words: "Amendment to the constitution relative to the Governor's appointments—No." The ballots shall in all respects be canvassed and returns made as in the election of Governor and Lieutenant Governor.

By unanimous consent the Senate returned to the order of

## MESSAGES FROM THE HOUSE.

The President *pro tem.* announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 16, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following entitled bill:

Senate bill No. 282 (File No. 188), entitled

A bill to amend the charter of the city of Ann Arbor;

In the passage of which the House has concurred by a majority vote of all

the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President *pro tem.* announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 16, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following entitled bill:

Senate bill No. 358, entitled

A bill to prohibit the taking or catching of fish in Gun Lake, in the counties of Barry and Allegan, by means of spears, nets, fire-arms, artificial lights, or explosive substances,

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 16, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following, entitled bills:

1. House bill No. 169 (File No. 292), entitled

A bill to amend section 1 of an act entitled "An act to authorize proceedings by garnishment in the circuit courts and the district court of the Upper Peninsula," approved March 16, 1861, as the same has been amended by the several acts amendatory thereof, the same being section 8058 of Howell's Annotated Statutes of the State of Michigan;

2. House bill No. 442 (File No. 295), entitled

A bill to authorize suits at law upon indebtedness before the maturity thereof in certain cases?

3. House bill No. 448 (File No. 296), entitled

A bill to amend compiler's section 6131 of the compiled laws of 1871, relative to judgments and executions, being section 7716 of Howell's Annotated Statutes of 1882;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The third named bill was read a first and second time by its title and referred to the committee on the judiciary.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 16, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following entitled bills:

1. House bill No. 584 (File No. 298), entitled

A bill to amend section 1, act 369, of session laws of 1875, entitled “An act to organize the union school district of the village of South Lyon,” relative to the boundaries thereof;

2. House bill No. 390 (File No. 281), entitled

A bill to establish a police court for the city of Detroit;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on education and public schools.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

#### GENERAL ORDER.

On motion of Mr. Hertzler,

The Senate went into committee of the whole on the general order,

Mr. Carpenter in the chair.

After some time spent therein, the committee rose, and, through their chairman made the following report:

The committee of the whole have had under consideration the following: Senate bill No. 227 (File No. 183), entitled

A bill making an appropriation for the State Industrial Home for Girls for the years 1885 and 1886;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein; and recommend their passage.

MANSON CARPENTER, *Chairman.*

Report accepted.

The question being on concurring in the action of the committee of the whole,

Mr. Austin called for a division of the question as to concurrence in the action of the committee of the whole in striking out the following: “Also, for building a new cottage, heating, plumbing, and furnishing of same, the sum of nineteen thousand dollars (\$19,000).”

Mr. Austin called for the yeas and nays.

Pending the taking of the vote,

Mr. Hubbell moved to adjourn.

Mr. Manwaring called for the yeas and nays.

The motion to adjourn did not prevail by yeas and nays as follows:

## YEAS.

Mr. Hubbell,	Mr. Pennell,	2
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## NAYS.

Mr. Austin,	Mr. Curtiss,	Mr. Hertzler,	Mr. Sherwood,
Brown,	Davenport,	Hueston,}	Smith, S. W.,
Carpenter,	Davis,	Manwaring,	Spencer,
Carveth,	Greiner,	Monroe,	President,
Cline,	Hawley,	Moon,	<i>pro tem.</i> , 19

The Senate concurred in said amendment, by yeas and nays, as follows:

## YEAS.

Mr. Cline,	Mr. Hawley,	Mr. Hueston,	Mr. Pennell,
Davenport,	Henry,	Manwaring,	Pulver,
Francis,	Hubbell,	Moon,	Woodruff,
Greiner,			13

## NAYS.

Mr. Austin,	Mr. Carveth,	Mr. Hertzler,	Mr. Spencer,
Brown,	Curtiss,	Monroe,	President
Carpenter,	Heisterman,	Sherwood,	<i>pro tem.</i> , 11

On motion of Mr. Austin,

The Senate concurred in the other amendments made by the committee to the bill, and the same was placed on the order of third reading of bills.

On motion of Mr. Hueston,

The Senate adjourned.

*Lansing, Friday, April 17, 1885.*

The Senate met and was called to order by the President at 10 o'clock A. M.  
Prayer by Rev. Mr. Ford.

Roll called: a quorum present.

Absent without leave: Senators Pulver and Shoemaker.

Mr. Belknap asked and obtained leave of absence for Mr. Shoemaker for the day on account of sickness.

Mr. Monroe asked and obtained leave of absence for Mr. Pulver for the day on account of sickness.

## PETITIONS.

No. 620. By Mr. Kempf: Petition of C. S. Laird and 115 others, of Chelsea, asking for the submission of the prohibitory amendment to the people relative to the liquor traffic;

No. 621. By Mr. Sherwood: Petition of S. S. Harrington and 62 others, of Cass county, same object;

No. 622. By Mr. Pennell: Petition of Mrs. W. H. Thompson and 28 other ladies, and 46 gentlemen, same object;

No. 623. By Mr. Stephenson: Petition of W. R. Gray and 139 others, of Ishpeming, same object;

No. 624. By Mr. Moon: Petition of James M. Dayton, Lyman Arms, and 88 other citizens of North Muskegon, same object;

No. 625. By Mr. Davis; Petition of W. W. Hill, Archie Johnson, and 54 other voters of Drummond, Chippewa county, same object;

No. 626. By Mr. Heisterman: Petition of J. H. Haynes and 69 others, same object;

No. 627. By Mr. Curtiss: Petition of D. S. Lamb and 61 others, same object;

No. 628. By Mr. Francis: Petition of J. A. Morrell and 35 others, of Grand Traverse county, same object;

No. 629. By Mr. G. A. Smith: Petition of Rev. Joel Martin, 135 voters, and 50 ladies, of Pittsford and Camden, Hillsdale county, same object;

No. 630. By Mr. G. A. Smith: Petition of William H. Lindsay and 90 others, of West Butler, Branch county, same object;

No. 631. By Mr. Carpenter: Petition of C. M. Lewis and 115 other voters of Hudson, same object:

The 12 petitions were referred to the committee on liquor traffic.

No. 632. By Mr. Monroe: Petition of L. D. Hill, L. T. Rawson, and 45 others, of Decatur, in favor of the pharmacy bill;

No. 633. By Mr. G. A. Smith: Petition of O. M. Rockwell and 35 other citizens of Sherwood, Branch county, same object;

The two petitions were referred to the committee on public health.

No. 634. By Mr. Carveth: Memorial of H. Q. Butterfield and others relative to a bill in Congress to promote peace among nations;

On motion of Mr. Carveth,

The memorial was ordered printed in the Journal and referred to the committee on federal relations.

The following is the memorial:

The following is issued by the American Peace Society with the design of of presenting it after signatures to the Legislatures of each State.

*To the Hon. Senate and House of Representatives of the State of Michigan in Legislature assembled:*

The American Peace Society, an association devoted to the prevention of war, would hereby respectfully memorialize your honorable body on behalf of a bill, entitled "A bill to promote peace among the Nations by the establishment of an International Tribunal, or some fixed principle of Arbitration," introduced to the National House of Representatives, by Hon. I. Newton Evans, of Pennsylvania, March 3, 1884, and by that body referred to its committee on foreign relations, a copy of which may be found on the following page. We would respectfully pray you to adopt resolutions approving the same, and urging its speedy passage by the United States Congress.

FORTY-EIGHTH CONGRESS, FIRST SESSION.

*In the House of Representatives, March 3, 1884.*

Read twice, referred to the committee on foreign affairs, and ordered to be printed.

Mr. I. Newton Evans introduced the following bill:

A Bill to promote peace among the Nations by the establishment of an International Tribunal of some fixed principle of Arbitration.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. That the President be, and is hereby authorized and requested to enter into negotiations with all Governments for the establishment of some International Tribunal, or some fixed principle of Arbitration, by which all difficulties and disputes between nations may be settled peaceably and wars prevented.

SEC. 2. That the President be, and hereby is, authorized to invite all the Governments of North and South America, and, in his discretion, any other Governments, to send delegates to an international convention to be held in Washington, at such time as he may designate, for the purpose of considering and determining the best measures to promote peace and amity among the nations; and the sum of one hundred thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated to pay the expenses of executing this act."

The foregoing bill embodies a principle which has received the approval of the leading statesmen of this and other countries, and which in various forms has been approved by several State Legislatures in former years; notably by a unanimous vote of the Legislature of Massachusetts, in 1853. It is the only bill now pending before Congress on this subject, and we deem it of vital importance to the great principle of arbitration as a preventative and substitute for war, that it becomes a law.

On behalf of the American Peace Society.

EDWARD S. TOBBY, *President.*

ROWLAND B. HOWARD, *Secretary.*

Signed—Horatio Q. Butterfield, O. Hosford, J. Estabrook, Joseph L. Daniels, F. L. Reed, George W. Keyes, H. King, John M. Barrows, J. F. Loba, H. M. Goodwin, S. Montgomery.

*Olivet, April 15, 1885.*

#### REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

House bill No. 37 (File No. 182), entitled

A bill to amend sections 4 and 5 of an act entitled "An act to provide for the construction and maintenance of stone or macadamized roads in Bay county," approved April 24, 1883,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment; and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

MICHAEL GREINER, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

House bill No. 18 (File No. 83), entitled

A bill to secure the minority of stockholders, in corporations organized

under general laws, the power of electing a representative membership in boards of directors,

Respectfully report that they have had the same under consideration, and a majority (Senator Hubbell dissenting) have directed me to report the same back to the Senate with accompanying substitute, with same title (except "membership" changed to "member"), recommending that the substitute be printed in the Journal, and that the substitute and bill be placed on the general order and referred to the committee of the whole, and ask to be discharged from the further consideration of the subject.

C. J. MONROE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hawley,

The Senate concurred in the action of the committee relative to the substitute reported for the bill.

The substitute was ordered printed in the Journal.

On motion of Mr. Hawley,

The bill and substitute were made the special order for Wednesday, April 22, at 2 o'clock P. M.

The following is the substitute reported to the committee for the above bill:

A BILL to secure the minority of stockholders in corporations organized under general laws the power of electing a representative member in boards of directors.

SECTION 1. *The People of the State of Michigan enact*, That in all elections for directors of any corporation organized under any general law of this State, other than municipal, at such elections a minority of the stockholders, voting in person or by proxy, the number of whose shares multiplied by the number of directors will equal a majority of the shares of such corporation, said minority shall be entitled to select from said stockholders one member of the board of directors; and any rule or regulation which shall tend to interfere or prevent such minority from so selecting a member of such board shall be void. The balance of the directors shall be elected in the usual manner.

By the committee on constitutional amendments:

The committee on constitutional amendments, to whom was referred

Senate joint resolution No. 11, entitled

Joint resolution to amend the constitution so that the terms of office of certain State officers shall expire February 1st instead of January 1st,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

S. W. SMITH, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Manwaring,

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on constitutional amendments:

The committee on constitutional amendments, to whom was referred

House joint resolution No. 44 (File No. 15), entitled

Joint resolution to amend section 2 of article 18 of the constitution of this State relative to drain commissioners,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

S. W. SMITH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Manwaring,

The joint resolution was laid on the table.

By the committee on constitutional amendments:

The committee on constitutional amendments, to whom was referred

Senate joint resolution No. 13 (File No. 19), entitled

Joint resolution to amend the constitution of this State by striking out section 6 of article IV., Legislative department, which makes persons holding certain United States, State and county offices ineligible to or have a seat in either house of the Legislature,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. W. SMITH, *Chairman.*

Report accepted and committee discharged.

The joint resolution was referred to the committee of the whole, and placed on the general order.

By the committee on constitutional amendments:

The committee on constitutional amendments, to whom was referred

Senate joint resolution No. 26, entitled

Joint resolution to amend section ten of article ten of the constitution of this State, relative to boards of supervisors and board of auditors of Wayne county.

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. W. SMITH, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on constitutional amendments:

The committee on constitutional amendments, to whom was referred

House bill No. 103 (File No. 132), entitled

A bill to amend an act entitled "An act directing the county clerks in each of the counties in this State to provide uniform ballots on constitutional amendments," being act 66 of the session laws of 1873, approved April 1, 1883,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the House without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. W. SMITH, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.



By the committee on constitutional amendments:

The committee on constitutional amendments, to whom was referred Senate joint resolution No. 35, entitled

A joint resolution proposing an amendment to section 2, article 4, of the constitution of Michigan, relative to the formation of Senatorial districts and the election of Senators.

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

S. W. SMITH, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

Senate bill No. 300 (File No. 90), entitled

A bill to amend section 1 of act No. 177 of the session laws of 1881, entitled "An act relative to the delivery of grain by railway companies," approved May 31, 1881,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. AUSTIN, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on railroads:

The committee on railroads, to whom was referred

Senate bill No. 318 (File No. 88), entitled

A bill to provide for the introduction and use on all cars owned, and operated by any railroad company or other corporation doing business in this State, of some form of automatic car coupling by means of which all cars may be coupled and uncoupled without the necessity of the brakeman or any other person passing between the cars,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

CHAS. AUSTIN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Pennell,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then ordered re-printed, referred to the committee of the whole, and placed on the general order.

By the committee on counties and townships:

The committee on counties and townships, to whom was referred

House bill No. 355, entitled

A bill to detach certain territory from the township of Kawkawlin, and attach the same to the township of Bangor in Bay county,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Davis,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hertzler,	Mr. Pennell,
Belknap,	Davis,	Hueston,	Phelps,
Brown,	Edwards,	Kempf,	Sherwood,
Carpenter,	Francis,	Manwaring,	Smith, S. W.,
Cline,	Greiner,	Monroe,	Stephenson,
Curtiss,	Hawley,	Moon,	23

#### NAYS.

Mr. Heisterman,

1

Title agreed to.

On motion of Mr. Davis,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

Senate bill No. 270, entitled

A bill to incorporate the village of Oscoda,

Respectfully report that they have had the same under consideration and have directed me to report the same to the Senate without recommendation, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Francis,

The bill was then ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on counties and townships:

The committee on counties and townships, to whom was referred

House bill No. 739, entitled

A bill empowering the township of Leslie, in the county of Ingham, to bond the township to the amount of not exceeding \$20,000 for the purpose of making public improvements in said township,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without recommendation, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hertzler,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on public lands:

The committee on public lands, to whom was referred

Senate joint resolution No. 25, entitled

Joint resolution authorizing the Board of State Auditors to adjust the claim of Peter Des Pelder, growing out of the sale of certain State swamp lands,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

J. MANWARING, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Belknap,

The rules were suspended, and the joint resolution was placed on its immediate passage.

The joint resolution was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Phelps,
Belknap,	Edwards,	Kempf,	Sherwood,
Brown,	Francis,	Manwaring,	Smith, G. A.,
Carpenter,	Greiner,	Monroe,	Smith, S. W.,
Cline,	Hawley,	Moon,	Spencer,
Curtiss,	Heisterman,	Pennell,	Stephenson,
Davenport,	Hertzler,		

26

#### NAYS.

0

Title and preamble agreed to.

On motion of Mr. Belknap,

By a vote of two-thirds of all the Senators elect, the joint resolution was ordered to take immediate effect.

By the committee on liquor traffic:

The committee on liquor traffic, to whom was referred

House bill No. 234 (File No. 178), entitled

A bill to amend section 6 of act No. 259 of the session laws of 1881, entitled "An act to regulate the sale of spirituous, malt, brewed, fermented, and vinous liquors, to prohibit the sale of such liquors to minors, intoxicated persons, and to persons in the habit of getting intoxicated, to provide a remedy against persons selling liquors to husbands or children in certain cases, and to repeal all acts or parts of acts inconsistent herewith," approved June 10, 1881, the same being section 2275 Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

EDWARD E. EDWARDS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hawley,

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on liquor traffic:

The committee on liquor traffic, to whom was referred

Senate bill No. 25, entitled

A bill to amend sections numbered 3, 5, 6, 9, 10, and 11, of act numbered 259 of the session laws of 1881, entitled "An act to regulate the sale of spirituous, malt, brewed, or fermented, and vinous liquors, to prohibit the sale of such liquors to minors, to intoxicated persons, and to persons in the habit of getting intoxicated, to provide a remedy against persons selling liquors to husbands or children in certain cases, and to repeal all acts or parts of acts inconsistent herewith," approved June 10, 1881,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

EDWARD E. EDWARDS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hawley,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on liquor traffic:

The committee on liquor traffic, to whom was referred

Senate bill No. 24, entitled

A bill to amend sections 1, 4, and 6, of act numbered 268 of the session laws of 1879, entitled "An act to provide for the taxation of the business of manufacturing and selling spirituous and intoxicating, malt, brewed, or fermented liquors," approved May 31, 1879, as amended by act number 156 of the session laws of 1881, approved May 19, 1881,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and without recommendation, and ask to be discharged from the further consideration of the subject.

EDWARD E. EDWARDS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hawley,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 132 (File No. 63), entitled

A bill to amend section 5 of act No. 97 of the session laws of 1879, as amended, being section 6539 of Howell's Annotated Statutes of Michigan of 1882, relative to filling vacancies in the superior court of Detroit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the amendments made to the bill by the committee,

The bill was then ordered re-printed, referred to the committee of the whole, and placed on the general order.

MESSAGES FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICE, MICHIGAN, }  
Lansing, April 16, 1885. }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State,

[Senate bill No. 36 (File No. 36), being]

An act for the relief of purchasers and settlers on swamp land and to repeal act No. 166, session laws of 1855, and act No. 173, session laws of 1867, the same being sections 5386 and 5387, Howell's Annotated Statutes.

RUSSELL A. ALGER,  
Governor.

The message was laid on the table.

MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 16, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following entitled joint resolution:

Senate joint resolution No. 5 (File No. 16), entitled

Joint resolution declaring the necessity of having one or more soldiers' homes established in this State for the protection of Union soldiers and marines who have become disabled since their discharge from service, and to provide a joint committee to investigate and report as to feasibility of the Dearborn arsenal property, etc.;

And to inform the Senate that the House has amended the resolution so as to read as follows:

*Resolved by the Senate and House of Representatives of the State of Michigan,* That with a view to have a suitable home for such disabled Union soldiers and marines provided in this State, as soon as practicable, a joint committee consisting of three members of the Senate and three members of the House, be appointed to investigate and report by the 15th day of May, 1885, as to the feasibility of establishing one or more such homes in this State, and the adaptability of the said Dearborn arsenal property, or any other property, for such a home, and also what, if any action should be requested of Congress to aid in establishing and maintaining such soldiers' homes, and such other matters concerning the same as the committee may see fit;

In the passage of which as thus amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,  
Clerk of the House of Representatives

Mr. Hueston moved that the Senate concur in the amendments made to the joint resolution by the House;

Which motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hubbell,	Mr. Pennell,
Bélknap,	Francis,	Hueston,	Phelps,
Brown,	Greiner,	Kempf,	Sherwood,
Carpenter,	Hawley,	Manwaring,	Smith, S. W.,
Cline,	Heisterman,	Monroe,	Spencer,
Curtiss,	Hertzler,	Moon,	Stephenson,
Davis,			25

## NAYS.

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The joint resolution was then referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 16, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following entitled bill:  
 House bill No. 416, entitled

A bill to authorize the board of supervisors of Charlevoix county to establish, maintain, and operate a ferry across the south arm of Pine Lake at or near Ironton in said county;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 16, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following entitled bill:  
 House bill No. 269 (File No. 299), entitled

A bill to amend section 10 of act No. 238 of the session laws of 1879, being an act entitled "An act to protect logs, lumber, and timber, while floating upon the waters in this State, or lying upon the banks or shores thereof," being compiler's section 2058, Howell's Annotated Statutes of the State of Michigan;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and referred to the committee on State affairs.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 16, 1885.* }

*To the President of the Senate:*

SIR,—I am instructed by the House to respectfully request the return of the following bill:

Senate bill 282 (File No. 188), entitled  
A bill to amend the charter of the city of Ann Arbor.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

On motion of Mr. Manwaring,

The committee on engrossment and enrollment was discharged from the further consideration of the bill.

Whereupon the following report was made:

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment to whom was referred

Senate bill No. 282 (File No. 188), entitled

A bill to amend the charter of Ann Arbor,

Respectfully report the same back to the Senate in accordance with instructions.

J. W. BELKNAP, *Chairman.*

Report accepted.

On motion of Mr. Manwaring,

The request of the House was granted in relation to said bill.

#### MOTIONS AND RESOLUTIONS.

Mr. S. W. Smith moved to take from the table the following preamble and resolution:

WHEREAS, The United States unsurveyed shoal water lands in Lake St. Clair, in the State of Michigan, generally known as the St. Clair Flats, are and long have been a place of favorite and great resort by the people, even from abroad, for boating and sailing, recreation and health, and for fishing and hunting, the same being a world famous resort for game, in season;

AND WHEREAS, It is a grateful convenience and a beneficent privilege to the public to have at hand an inviting resort conferring as does this territory especial favors, where the people may go for proper and healthful pleasure and for relaxation and recuperation from the wearing pursuits of business;

AND WHEREAS, This territory has for so long been a place of free resort for all the people for the purposes aforementioned that they would not now know how to do without it, and situated as it is adjacent to the great and growing city of Detroit—a just pride of the whole country—it too would most justly, deeply, and forever feel its irreparable loss as a place of public resort, while the sum for which it would be sold as a part of the public domain would constitute but a trifling one which would never be felt to be of account;

AND WHEREAS, Attempts have been made by various parties to possess this territory by private acquisition for the purpose of converting the same into close private preserves, thus arbitrarily excluding the public forever from all rights therein and constituting the territory a permanent and most aggravating monopoly against the people for all time, a bill for which purpose was introduced into the preceding congress but which went down under the strong and earnest protest by the people against it by petition and otherwise, aided by private efforts;

AND WHEREAS, Other attempts are being made for the private acquisition of this territory, its possession being very desirable, and it being probable that if not formally set aside for the people it will pass to private occupation either by free-booting right or by private acquisition;

*Therefore*, This territory being a part of the public domain and believing such measure to be in the line of a wise and beneficent public policy ;

*Be it resolved by the Senate of the State of Michigan* (the House concurring therein), That Congress is hereby requested by proper statute to set aside the said St. Clair territory as a national preserve for the people of the United States, subject to wise and proper regulations which it shall prescribe ; and also that our Senators and Representatives in Congress—as requested to give their earnest support to such measure, and efficiently oppose all private claims and efforts to obtain possession of said territory which are not plainly warranted by unmistakable legal right and justice.

AND WHEREAS, We deprecate the policy which the general government has extensively practiced in the past of selling to private parties the United States unsurveyed overflowed shoal water and marsh lands which in many localities in extensive tracts border the nation's public waters—as the inlets of the ocean our navigable lakes and rivers—to be converted by said parties into close private shooting preserves to the perpetual exclusion of the people therefrom, such exclusion greatly abridging, as it does, the freedom and desirable privileges to the people which should be afforded by the public waters, which exclusion is already, and in the future will more and more be felt to be a public aggravation and outrage of magnitude, for the people habitually, largely, and very properly, and will more and more in the future resort to the public waters for recreation, tripping, health, fishing, sailing and shooting ;

AND WHEREAS, These lands are of much account to the people for the purpose of public resort, and also as they come of or belong to the public or people's domain, there is eminent equity and propriety in the demand that they be preserved for public use ;

AND WHEREAS, The majority of this class of overflowed favorite territory for fish and game, and for public resort in the nation, has already passed to the exclusion of private ownership and control ; therefore, we express our earnest belief that the unwise and injurious policy of selling these lands to private parties should go no further ; and therefore,

*Be it resolved by the Senate* (the House concurring), That Congress is respectfully requested to interpose against their further private acquisition, and to set aside, by proper enactment, this class of territory belonging to the public domain, as a common preserve for the use of the people, subject to such regulations as may be established by rightful authority ; and that our Senators and Representatives in Congress be requested to use their best endeavors to secure such proper legislation,

Which motion prevailed.

On motion of Mr. S. W. Smith,

The concurrent resolution was adopted.

Mr. Edwards moved that a respectful message be sent to the House, asking for the return of

Senate joint resolution No. 21 (File No. 10) entitled

Joint resolution proposing an amendment to section 28 of the schedule of the constitution of this State relative to the Governor's appointments ;

Which motion prevailed.

Mr. Edwards also gave notice that he would make a motion to reconsider the vote by which the Senate passed the joint resolution above named.

Mr. Hawley moved to take from the table

Senate bill No. 110, entitled

A bill to amend act No. 28 of the session laws of 1877, approved March 9,



1877, entitled "An act to provide for the appointment of an assistant prosecuting attorney for the county of Wayne," by adding a new section thereto to stand as section 7;

Which motion prevailed.

On motion of Mr. Hawley,

The bill was referred to the committee of the whole, and placed on the general order.

Mr. Carveth moved to take from the table

Senate bill No. 1 (File No. 20) entitled

A bill to amend section 4897 of the compiled laws of 1871, being section 6393 of Howell's Statutes, relative to salaries of justices of the supreme court;

Which motion prevailed.

The question being on the passage of the bill,

The bill was then read a third time, and the question being upon its passage, pending the taking of the vote thereon,

Mr. Carveth moved that he be allowed to offer an amendment at this time.

Mr. Carveth called for the yeas and nays.

The motion then prevailed, by yeas and nays as follows:

#### YEAS.

Mr. Belknap,	Mr. Edwards,	Mr. Hueston,	Mr. Spencer,	
Brown,	Francis,	Manwaring,	Stephenson,	
Carpenter,	Henry,	Moon,	Woodruff,	
Carveth,	Hubbell,	Pennell,		15

#### NAYS.

Mr. Austin,	Mr. Davis,	Mr. Heisterman,	Mr. Smith, G. A.,	
Curtiss,	Greiner,	Phelps,	Smith, S. W.,	
Davenport,	Hawley,			10

Mr. Carveth moved to amend the bill as follows:

By adding the following to the bill:

And when the judges of the supreme court shall be equally divided upon any case submitted to them, brought before said court by appeal, certiorari, writ of error or otherwise, which case involves the constitutionality of any act of the legislature heretofore or hereafter enacted, such act shall be deemed and held to be constitutional. And when any judgment or decree of a circuit or superior court is based or predicated on the unconstitutionality of any act of the legislature, the supreme court on review of such judgment or decree shall, when equally divided on the constitutionality of such act, reverse such judgment or decree, and direct the court below to proceed therein as though the act in question had been declared constitutional by a majority of the supreme court.

On motion of Mr. Hawley,

The bill and amendment were laid on the table.

On motion of Mr. Moon,

The Senate took a recess until 1:30 P. M.

#### AFTERNOON SESSION.

1:30 o'clock P. M.

The Senate met and was called to order by the President.

Roll called: a quorum present.

On motion of Mr. Phelps,  
Leave of absence was granted to Mr. Phelps until Monday evening.  
On motion of Mr. Manwaring,  
Leave of absence was granted to Mr. Manwaring until Monday evening.  
On motion of Mr. Davis,  
Leave of absence was granted to Mr. Davis until Monday evening.  
On motion of Mr. Hawley,  
Leave of absence was granted to Mr. Hawley until Monday at 2 p. m.

## THIRD READING OF BILLS.

Senate bill No. 227 (File No. 183), entitled  
A bill making an appropriation for the State industrial home for girls for the years 1885 and 1886.  
On motion of Mr. Carpenter,  
The bill was laid on the table.

## SPECIAL ORDER.

Being the consideration of the following bills:

1. House bill No. 100 (File No. 50), entitled

A bill to establish a State Board of Fish Commissioners, and to repeal act No. 124, session laws of 1873, act No. 71, session laws of 1875, and act No. 3, session laws of 1882;

2. House bill No. 147 (File No. 52), entitled

A bill to amend sections 2, 8, and 12, of an act entitled "An act to regulate the catching of fish in certain waters of this State," being act No. 188 of the session laws of 1875, approved May 1, 1875;

3. House bill No. 126 (File No. 118), entitled

A bill to amend section 3 of an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, designated as section 2165, chapter 63, of the general statutes in force;

4. House bill No. 224 (File No. 136), entitled

A bill to amend an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, being act No. 350, session laws of 1865, by adding two new sections, to be designated as sections 12 and 13;

5. House bill No. 599 (File No. 216), entitled

A bill to amend section 4 of an act entitled "An act to protect fish and preserve fisheries of this State," approved March 21, 1865, act number 350, session laws 1865, being section 2166 of Howell's Annotated Statutes.

On motion of Mr. Kempf,

The Senate went into committee of the whole on the special order,  
Mr. Manwaring in the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

## I.

The committee of the whole have had under consideration the following:

House bill No. 147 (File No. 52), entitled

A bill to amend sections 2, 8, and 12 of an act entitled "An act to regulate the catching of fish in certain waters of this State," being act No. 188 of the session laws of 1875, approved May 1, 1875;

House bill No. 224 (File No. 136), entitled

A bill to amend an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, being act No. 350, session laws of 1865, by adding two new sections to be designated as sections 12 and 13;

House bill No. 599 (File No. 216), entitled

A bill to amend section 4 of an act entitled "An act to protect fish and preserve fisheries of this State," approved March 21, 1865, act No. 350 session laws of 1865, being section 2166 of Howell's Annotated Statutes;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

## II.

The committee of the whole have also had under consideration the following:

House bill No. 100 (File No. 50), entitled

A bill to establish a State Board of Fish Commissioners and to repeal act No. 124, session laws of 1873, act No. 71, session laws of 1875, and act No. 3, session laws of 1882;

House bill No. 126 (File No. 18), entitled

A bill to amend section 3 of an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, designated as section 2165, chapter 63, of the general statutes in force;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

J. MANWARING, *Chairman.*

Report accepted and committee discharged.

The first named bills were placed on the order of third reading of bills.

On motion of Mr. Manwaring,

The Senate concurred in the amendments made by the committee to the second named bills, and the same were placed on the order of third reading of bills.

On motion of Mr. Carpenter,

Leave of absence was granted to Mr. Carpenter until Wednesday.

On motion of Mr. Pennell,

Leave of absence was granted to Mr. Pennell until Monday evening.

By unanimous consent,

The Senate returned to the order of

## MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 17, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to request the return of the following entitled bill:

Senate bill No. 358, entitled

A bill to prohibit the taking or catching of fish in Gun Lake, in the counties of Barry and Allegan, by means of spears, nets, fire-arms, artificial lights, or explosive substances,

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

Mr. Carveth moved that the committee on engrossment and enrollment be discharged from the further consideration of the bill;

Whereupon the committee made the following report:

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, to whom was referred Senate bill No. 358, entitled

A bill to prohibit the taking or catching of fish in Gun Lake, in the counties of Barry and Allegan, by means of spears, nets, fire-arms, artificial lights, or explosive substances,

Respectfully report the same back to the Senate, in accordance with instructions.

J. W. BELKNAP, *Chairman.*

Report accepted.

On motion of Mr. Carveth,

The Senate complied with the request of the House.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 17, 1885. }

*To the President of the Senate:*

SIR,—I am instructed by the House to return to the Senate the following entitled bills:

1. Senate bill No. 269 (File No. 67), entitled

A bill to re-incorporate the village of Au Sable, in Iosco county;

2. Senate bill No. 213 (File No. 106), entitled

A bill to re-incorporate the village of Marine City, in St. Clair county,

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect;

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The two bills were referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 17, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following entitled bill:

House bill No. 692, entitled

A bill to organize the township of Case, in the county of Presque Isle,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on counties and townships.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 17, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following entitled bill:

House bill No. 150 (File No. 316), entitled

A bill to protect all citizens in their civil rights;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on State affairs.

Mr. Sherwood moved that the Senate do now adjourn.

Mr. Sherwood called for the yeas and nays.

The motion then did not prevail, by yeas and nays, as follows:

YEAS.

Mr. Francis, Heisterman, Henry,	Mr. Hubbell, Hueston, Manwaring,	Mr. Monroe, Sherwood, Smith, G. A.,	Mr. Stephenson, Woodruff,	11
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NAYS.

Mr. Austin, Belknap, Brown, Carpenter,	Mr. Carveth, Cline, Davenport, Edwards,	Mr. Greiner, Hertzler, Kempf,	Mr. Moon, Smith, S. W., Spencer,	14
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On motion of Mr. Hueston,

The Senate adjourned until Monday, April 20, at 8 o'clock, P. M.

*Lansing, Monday, April 20, 1885.*

The Senate met and was called to order by the President *pro tem.* at 8 o'clock P. M.

Prayer by Rev. Mr. Taylor.

Roll call: a quorum present.

Absent without leave: Senators Brown, Carveth, Cline, Curtiss, Davenport, Davis, Greiner, Hertzler, Hueston, Manwaring, Moon, Pulver, and Shoemaker.

On motion of Mr. Hubbell,

Leave of absence was granted to Mr. Pulver for the evening.

On motion of Mr. Kempf,

Leave of absence was granted to all other absentees for the evening.

PETITIONS.

No. 635. By Mr. Henry: Petitions of James Hamilton and 90 others, of Tawas City, for the submission of the prohibitory amendment to the people regarding the liquor traffic;

No. 636. By Mr. Sherwood: Petitions of William Chamberlain and 28 others, of Three Oaks, same object;

No. 637. By Mr. Stephenson: Petition of W. H. Stillwell and 123 others, same object.

No. 638. By Mr. Spencer: Petition of John H. Cartwright, O. B. Beals, Zac. Chase, William Hyatt, and 236 others, of Genesee county, same object;

No. 639. By Mr. Phelps: Petition of J. D. Webster and 161 others, same object;

No. 640. By Mr. Pennell: Petition of Ezekiel Niles and 30 others, same object;

No. 641. By Mr. G. A. Smith: Petition of John P. Evans and 120 others, of Coldwater, Branch county, same object;

The seven petitions were referred to the committee on liquor traffic.

No. 642. By Mr. Woodruff: Remonstrance of James W. McCabe and 30 others, of Roscommon, against detaching territory from said township and attaching same to the township of Nestor;

Referred to the committee on counties and townships.

No. 643. By Mr. Edwards. Petition of A. Tuttle and 28 others, of Pentwater, for the passage of the pharmacy bill;

Referred to the committee on public health.

#### REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

1. Senate bill No. 269 (File No. 67), entitled

A bill to re-incorporate the village of Au Sable in Iosco county;

Also,

2. Senate bill No. 213 (File No. 106), entitled

A bill to re-incorporate the village of Marine City, in St. Clair County.

J. W. BELKNAP, *Chairman.*

#### MESSAGES FROM THE HOUSE.

The President *pro tem.* announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 17, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following entitled bills:

1. Senate bill No. 223 (File No. 99), entitled

A bill to establish and maintain a free public library in the city of Jackson.

2. Senate bill No. 188 (File No. 108), entitled

A bill to amend section 703, of the compiled laws of 1871, as amended by act number 53, of the session laws of 1873, being section 741 of Howell's Annotated Statutes, relative to the duties of township clerks;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The two bills were referred to the committee on engrossment and enrollment for enrollment.

The President *pro tem.* also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 17, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following entitled bill:

Senate bill No. 198, entitled

A bill to amend sections 2, 3, 4, 9, and 14, of chapter 2, and to add a new section to said chapter to stand as section 15; and to amend sections 4 and 6 of chapter 4, and to amend section 4 of chapter 11, of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement, and maintenance of highways and private roads," and the building, repairing, and preservation of bridges within the State," approved June 8, 1881;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

Report accepted.

On motion of Mr. Hawley,

The Senate adjourned.

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*Lansing, Tuesday, April 21, 1885.*

The Senate met and was called to order by the President *pro tem.* at 10 o'clock A. M.

Prayer by the Rev. Mr. Thompson.

Roll called: a quorum present.

Absent without leave: Senators Hertzler and Shoemaker.

On motion of Mr. Kempf,

Leave of absence was granted to Senators Hertzler and Shoemaker for the day.

The President announced that a communication had been received from Rev. W. H. Thompson, relative to some alleged reflections, by a member of the Senate, on his conduct of religious exercises upon a certain occasion.

The communication having been read,

Mr. Hubbell moved that the same be entered at length upon the Journal.

Mr. Pulver moved that the communication be laid on the table.

Mr. Hawley called for the yeas and nays.

The motion to lay the communication on the table then prevailed by yeas and nays as follows:

## YEAS.

Mr. Cline, Davenport, Davis, Francis, Greiner,	Mr. Hawley, Heisterman, Henry, Hueston,	Mr. Kempf, Manwaring, Pennell, Phelps,	Mr. Pulver, Sherwood, Smith, G. A., Spencer,
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## NAYS.

Mr. Austin, Brown, Edwards.	Mr. Hubbell, Monroe,	Moon, Mr. Stephenson,	Mr. Woodruff, President <i>pro tem.</i>
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## PETITIONS.

No. 644. By Mr. William Owen and six others, of L'Anse, for the submission of the prohibitory amendment to the people regarding the liquor traffic;

No. 645. By Mr. Davenport: Petition of Reuben Humphrey and 46 others, of East Saginaw, same object;

No. 646. By Mr. Spencer: Petition of N. Harris, N. C. Davis, and 33 others, same object;

No. 647. By Mr. Phelps: Petitions of Ralph Myers and 120 others, same object;

No. 648. By Mr. Cline: Petition of James H. Smith and 42 others, same object;

No. 649. By Mr. Manwaring: Petition of C. M. Philo and 41 others, same object;

No. 650. By Mr. Belknap: Petition of William Shackelton and 27 other voters of Grand Rapids, same object;

The seven petitions were referred to the committee on liquor traffic.

No. 651. By Mr. Brown: Petition of D. R. Stuart and 83 others, for the passage of House bill (File No. 14), being a bill to equalize State bounties to volunteers in the late rebellion;

The petition was referred to the committee on military affairs.

No. 652. By Mr. Belknap: Memorial of officers of Woman's Christian Temperance Union Association.

On motion of Mr. Belknap,

The memorial was ordered printed in the Journal and referred to the committee on liquor traffic:

*To the Honorable, the Senate and House of Representatives of the State of Michigan:*

We gratefully note the fact that the bill providing that the question of constitutional prohibition of the liquor traffic shall be submitted to the people of Michigan, at the next general election, has been taken from the table and is again before your honorable body.

We, the officers of the Woman's Christian Temperance Union, representing more than five thousand of the women of Michigan, hereby petition for the passage of the bill:

*First*, Because we believe that prohibition, put by the will of the people in the organic law of the State, is the only adequate remedy for an evil so great.

*Second*, The people have the right to defend themselves, at the ballot-box, from a system which wounds morally, destroys physically, burdens financially, and harms the righteous powers of the government under which they live.



Your petitioners also pray that a joint resolution be passed requesting the Michigan representation in the Congress of the United States to vote and use their influence for the prohibition of the importation, manufacture, and sale of alcoholic liquors, whenever this question comes into the realm of the national legislature.

For the State Woman's Christian Temperance Union.

MARY T. LATHROP,  
*President.*

EMMA A. WHEELER,  
*Corresponding Secretary.*

JULIA A. UPTON,  
*Superintendent of Legislation and Petitions.*

#### REPORTS OF STANDING COMMITTEES.

The committee on cities and villages to whom was referred the following resolution :

*Resolved*, That the committee on cities and villages be requested to investigate and report to the Senate whether the official conduct of Hon. Chas. R. Henry, Senator from the 29th district, in connection with the several bills relating to the incorporation of the territory embraced in the villages of Au Sable and Oscoda, in Iosco county, has been honorable or otherwise, and especially whether the following charges contained in the "Lake Side Monitor" newspaper of April 11, 1885, are true or otherwise:

"When the time came for acting Messrs. Loud, Duncan, and Orth went to Lansing to present the union side of the question, under promise of Mr. Henry that a union meeting of the committees of both houses would be had on a certain day, the subject presented to them pro and con, and that he would take the bill from the table and have it acted upon as soon as the committee had reported. When the day for the meeting of the committees arrived, no anti-city men were on hand and Mr. Henry declined to call the committees together. A meeting of the committees was had despite Mr. Henry's efforts to the contrary, and the city men given a hearing. The committees announced that they would report favorably, and Mr. Henry, hearing of this, immediately posted off home, the town boards called together and the proposed vote on the question given out."

Also, whether the following from said Monitor of April 4th, viz.:

*"There are names there of men who signed three petitions, one in favor of incorporating the village of Oscoda, one protesting against the passage of the fish law, and one protesting against the city, and these have all been put together and called a remonstrance against the city. Will fair-minded men either for or against the city countenance such crookedness by their support? When men opposed to any measure which is being conducted openly and fairly, will stoop to such underhanded means to defeat it, 'there's something rotten in Denmark.' The leaders in the opposition to the city have practically admitted by the means they have employed that they have no ground on which to base their opposition,"*

Referred to said Senator Henry, and if so, whether he has been guilty of any dishonorable acts in the premises as stated,

Would respectfully report as follows :

In the early part of the present session a bill was introduced by Senator Henry, and referred to this committee, for the incorporation of Oscoda as a village. When this bill came up for consideration in committee, the chairman

was requested by Senator Henry to postpone consideration thereof until the question of uniting Oscoda and Au Sable under one city government, which was then being agitated should be settled, and saying that he had introduced a skeleton bill for that purpose, which was to be perfected and referred to the committee in case it should be found that a majority of the people interested desired it.

From time to time during the agitation of said question, Senator Henry called the attention of the chairman of this committee to petitions as they were presented, and newspaper articles as they were published, on both sides of said question. During all this time Senator Henry abstained from saying or doing anything to influence the action of this committee with reference to said bills, not even indicating his own opinion thereon.

On the morning of the day on which the first hearing was given to the friends of the city bill, Senator Henry called upon the chairman of this committee and requested that such a hearing be given.

As to the charge in said newspaper of the date of April 4th, relative to the manipulation of the petitions and remonstrances, there is no evidence that Senator Henry had anything to do with such manipulation, but on the contrary faithfully presented all petitions and remonstrances received by him from his constituents bearing upon said question.

Your committee therefore find that the conduct of Senator Henry in reference to the said several bills has been throughout of the most honorable character—showing a laudable desire to carry out the wishes of a majority of his constituents. All of which the committee respectfully submit, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Manwaring,

The report was adopted.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

Senate bill No. 375 (File No. 71), entitled

A bill to alter and amend sections 1, 2, 3, 4, 6, 18, 33, 34, 46, 66, 67, 69, and 72 of act No. 135, session laws of 1857, entitled "An act to authorize the business of banking and acts amendatory and supplemental thereto," being sections 3135, 3136, 3137, 3138, 3140, 3152, 3167, and 3168, 3180, 3201, 3202, 3204, and 3207 of the General Statutes of Michigan, compiled by Andrew Howell,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate with the accompanying substitute therefor, entitled

A bill to provide for the appointment of a commission to prepare and report a bill revising the general banking law,

Recommending that the substitute be concurred in, and that the substitute do pass. Your committee also ask that the substitute, with the accompanying report, be printed in the Journal, and ask to be discharged from the further consideration of the subject.

C. J. MONROE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Monroe,

The Senate concurred in the adoption of the substitute reported for the bill by the committee.

The substitute was ordered printed in the Journal, referred to the committee of the whole, and placed on the general order.

The following is the report referred to by said committee:

After careful examination your committee have concluded that the bill introduced as an amendment to the present banking law will not meet the necessities of the case, and they have decided unanimously to offer as a substitute for that measure, a bill which provides for a commission, whose duty shall be to examine the subject with care and report a measure reorganizing the entire banking system of the State.

We find that at the time of the passage of the present general banking act there were in our entire State but three organized banking establishments, to-wit: The Peninsula Bank, the Michigan and Insurance Bank, and the Farmers and Mechanics' Bank, all of Detroit. The entire capital stock of those three banks was \$745,304, and their deposits amounted to only \$555,693 at that time.

There are to-day in Michigan 98 national banks, 238 other banking institutions, including State banks, savings banks, corporations doing a banking business, and copartnerships and private individuals engaged also in some form of banking. The national banks have a capital stock, exclusive of surplus, of \$12,444,600 and deposits amounting to \$23,555,773; the other banking institutions of the State had in 1882 (that being the latest report we could obtain) an aggregate capital of \$3,665,501 and over twenty-three and one-half million dollars of deposits.

Hence, the present capital invested in banking in this State is about \$16,200,000, with deposits amounting to over \$47,000,000. The National banks are all under the careful supervision of the National government and so far no depositor in this State has ever lost a single dollar by the failure of one of those institutions. But all these various State institutions which have \$23,500,000 of the people's money on deposit with them are doing business with no well-defined system of supervision or examination by State authorities, which, properly and wisely managed, would be a source of protection both to the banks and their customers.

To state that institutions exercising such important trusts and controlling such vast sums of money should be under some governmental supervision and should be run in accordance with wise and judicious laws, enunciates a proposition too self-evident and plain to require elucidation at our hands.

Many States of this Union have been for years grappling with this problem and some of them have framed elaborate statutes controlling the banks within their respective jurisdictions—notably, the State of New York, whose State banks have resources, according to the latest report of their bank department, amounting to \$472,927,318 and have individual deposits to the amount of \$412,147,276, that being nearly ten times as much in their State institutions alone as all the banks in Michigan.

Under the constitution of our State no general banking act can be passed and become a law until it has been submitted to the people and has been ratified by their votes.

To frame a judicious law affecting such vast interests is no small task. It can be done only after a careful study of the different systems adopted by the various States. The experience and knowledge of the older and more wealthy

commonwealths should be collected and drawn upon in framing a law which shall be adapted to the growing business of the State. A law should be so framed as to best protect depositors and the people who use banks in the transaction of their every day business and which shall also hamper as little as possible those institutions in carrying on a safe and legitimate banking business. To do this will require a larger amount of labor and time than any Legislator can spare from his duties while the Legislature is in session. Your committee, therefore, present a bill, creating a commission, composed of five members, whose duty it shall be to carefully prepare a bill revising the entire banking laws of the State, and frame a law which will, in the language of the bill, "Provide for a better system of reporting and a more judicious supervision of the banking business of the State so as to afford better protection to banks and depositors and to adapt the law to the enlarged and constantly increasing demands of business." No more important measure is pending before this body and none which should be handled with more care and business sense. Your committee therefore recommend that this bill be substituted for Senate bill number 375, file number 71, and that the same do pass.

C. J. MONROE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Monroe,

The substitute was ordered printed in the Journal.

The following is the substitute:

**A BILL** to provide for the appointment of a commission to prepare and report a bill revising the general banking law.

**SECTION 1.** *The People of the State of Michigan enact,* That it shall be the duty of the Governor, by and with the advice and consent of the Senate, to appoint a commission, consisting of five proper and discreet persons, whose duty it shall be to prepare a bill revising the general banking law of this State, so as to provide for a better system of reporting, and a more judicious supervision of the banking business of the State, so as to afford better protection to banks and depositors, and to adapt the law to the enlarged and constantly increasing demands of business, and to report the same on the completion thereof, to the Governor, to be by him submitted to the Legislature. In case of the death, refusal, or inability to act, of any member or members of said commission, before its labors are completed, the Governor shall appoint some suitable person or persons to fill the vacancy.

**SEC. 2.** The said commission shall forthwith, after their appointment, meet at the capitol, and proceed, with all reasonable dispatch, to prepare and complete such bill, and report the same as above provided; and upon the said bill being so reported, it shall be the duty of the Governor to submit the same to the Legislature, if then in session, and if not, then at the next general or extra session.

**SEC. 3.** The members of said commission shall receive no compensation for their services, but their actual and necessary expenses, when audited and allowed by the State Board of Auditors, shall be paid out of any moneys to the credit of the general fund not otherwise appropriated; and such commission may employ a clerk, at a compensation to be approved and allowed by the Board of State Auditors, provided, the total expense of such commission shall not exceed one thousand dollars.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 265 (File No. 235), entitled

A bill to attach certain territory to graded school district number one of L'Anse township, Baraga county, Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Francis,	Mr. Kempf,	Mr. Sherwood,
Brown,	Greiner,	Manwaring,	Smith, G. A.,
Carveth,	Hawley,	Monroe,	Smith, S. W.,
Oline,	Heisterman,	Moon,	Spencer,
Curtiss,	Henry,	Pennell,	Stephenson,
Davenport,	Hubbell,	Phelps,	Woodruff,
Davis,	Hueston,	Pulver,	President,
Edwards,			<i>pro tem.</i> , 29

#### NAYS.

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Title agreed to.

On motion of Mr. Hubbell,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 128 (File No. 70), entitled

A bill to amend section 1 of chapter 32 of the compiled laws of 1871, entitled "An act to provide for the recording of town plats and for vacating the same in certain cases," being compiler's section No. 1344, as amended by act No. 108 of the session laws of 1873, and section 1, chapter 32, Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it be referred to the committee on cities and villages, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was referred to the committee on cities and villages.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 547 (File No. 159), entitled

A bill to provide for the protection of hotel keepers,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment,

and recommend that it do pass, and ask to be discharged from the further further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 301, entitled

A bill to provide for the inspection and cleaning of steam boilers,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Manwaring,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 442 (File No. 295), entitled

A bill to authorize suits at law upon indebtedness before the maturity thereof in certain cases,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 122 (File No. 167), entitled

A bill to provide for the compulsory reformatory education of juvenile disorderly persons,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 181 (File No. 103), entitled

A bill to amend section 5, of chapter 178, of the compiled laws of 1871, entitled "An act to amend chapter 93, of the revised statutes of 1846, entitled 'Of courts held by justices of the peace,'" the same being section 6818, of Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 15 (File No. 16), entitled

A bill to amend section 4 of an act entitled "An act supplementary to an act entitled 'An act to establish the Detroit House of Correction and to authorize the confinement of convicted persons therein,'" approved March 27, 1867, being compiler's section 9867 of Howell's Annotated Statutes, and to add a new section thereto, to stand as section 7 of said act in place of section 7 which was repealed by act 67, approved May 10, 1879,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 248 (File No. 269), entitled

A bill to amend section 2 of an act entitled "An act to amend sections 2, 3, and 5, of chapter 240 of the compiled laws of 1871, the same being compiler's sections 7478, 7479, and 7481," the same being section 9053 of Howell's Annotated Statutes, relative to the fees of justices of the peace, constables, and sheriffs in criminal cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 206 (File No. 270), entitled

A bill to amend section 1 of an act entitled "An act to authorize the judges of probate of certain counties to appoint a register, and prescribing his duties and compensation," approved March 30, 1869, as amended, being compiler's section 535 of Howell's Annotated Statutes of Michigan,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment,

and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 83 (File No. 256), entitled

A bill to define the qualifications of deputy sheriffs and under sheriffs to be hereafter appointed in this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 684 (File No. 260), entitled

A bill to require prosecuting attorneys in each county to furnish the attorney general with a statement of the cases and briefs in all criminal cases and proceedings removed from their counties to the supreme court,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

3. House bill No. 350 (File No. 188), entitled

A bill to amend section 1 of act No. 18 of the session laws of 1877, being compiler's section 6747 of Howell's Annotated Statutes relative to sales of lands in pursuance of decrees in chancery,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 334 (File No. 189), entitled

A bill to amend section 30 of chapter 153 of the revised statutes of 1846,



being section 7539 of the compiled laws of 1871, relative to offenses against the lives and persons of individuals,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 554 (File No. 195), entitled

A bill making it a felony to manufacture, buy, sell, furnish, or cause to be furnished, or have in possession any nitro-glycerine, dynamite, giant powder, or any other dangerous explosive material for unlawful purposes, and to provide a punishment for the same,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 386 (File No. 171), entitled

A bill to amend sections 80 and 81, of chapter 247 of Howell's Annotated Statutes, being compiler's sections 6670 and 6671, relative to proceedings against absent, concealed, and non-resident defendants, in courts of chancery,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 321 (File No. 285), entitled

A bill to amend section 19 of chapter 154 of the revised statutes of 1846, being compiler's section 9141 of Howell's Annotated Statutes of the State of Michigan, relative to offenses against property,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

J. A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Manwaring,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 193 (File No. 231), entitled

A bill to amend section 1 of act 240 of session laws of 1881, being continuous section 9134 of Howell's Annotated Statutes of Michigan, entitled an act to amend section 7563 of the compiled laws of 1871, as amended by act No. 93 of the session laws of 1875, relative to offenses against property,

Respectfully report that they have the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Manwaring,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 532 (File No. 255), entitled

A bill to amend section 163 of chapter 178 of the compiled laws of 1871, being section 6976 of Howell's Annotated Statutes, relative to courts held by justices of the peace,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 142 (File No. 96), entitled

A bill to amend sections 50 and 51 of act No. 180 of the session laws of 1875; also compiler's sections 6255 of the compiled laws of 1871, said sections being continuous sections 7836, 7837, 7838, and 7839 of Howell's Annotated Statutes relative to the action of ejectment,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 450 (File No. 249), entitled

A bill to protect defendants in actions when they have given notice of set-off;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment,

and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 390 (File No. 281), entitled

A bill to establish a police court for the city of Detroit,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 542 (File No. 272), entitled

A bill to provide for and preserve the purity of the judiciary,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Manwaring,

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 169 (File No. 292), entitled

A bill to amend section 1 of an act entitled "An act to authorize proceedings by garnishment in the circuit courts and the district courts of the Upper Peninsula," approved March 16, 1861, as the same has been amended by the several acts amendatory thereof, the same being section 8058 of Howell's Annotated Statutes of the State of Michigan,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, without recommendation, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 448 (File No. 296), entitled

A bill to amend compiler's section 6131 of the compiled laws of 1871, rela-

tive to judgments and executions, being section 7716 of Howell's Annotated Statutes of 1882;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 399, entitled

A bill to amend section 7 of chapter 181 of the compiled laws of 1871, being compiler's section 5666, by adding a new paragraph thereto to stand as paragraph 7, relative to the general provisions concerning courts, and the powers and duties of certain judicial officers,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without recommendation as to its passage, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 163, entitled

A bill to amend section 29 of chapter 202 of the compiled laws of 1871, relative to garnishees, being section 8085 of Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 401, entitled

A bill to regulate appeals from verdicts rendered in justices' court in criminal cases,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without recommendation as to its passage, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. S. W. Smith,

The bill was laid on the table.

By the committee on judiciary:

The committee on judiciary, to whom was referred  
Senate bill No. 150, entitled

A bill to repeal act 192 of the session laws of 1879, entitled "An act to provide a punishment for libel and slander,"

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without recommendation as to its passage, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. S. W. Smith,

The bill was laid on the table.

By the committee on railroads:

The committee on railroads, to whom was referred

Senate bill No. 332 (File No. 189), entitled

A bill to regulate the passenger and freight tariff, to provide for a uniform classification of freights and maximum freight rates, and to prevent unjust discrimination in charges of toll or compensation for the transportation of passengers or freights upon the railroads in this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be printed in the Journal, and that the bill and the amendments be referred to the committee of the whole and placed on the general order, and ask to be discharged from the further consideration of the subject.

CHAS. AUSTIN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Austin,

The Senate concurred in the amendment made to the bill by the committee.

The amendment was then ordered printed in the Journal and the bill referred to the committee of the whole and placed on the general order.

The following is the amendment reported by the committee to be added to the bill:

SECTION —. Any railroad company or corporation, amenable to the provisions of this act, which in the transportation of any kind or class of freight, to or from any point in this State, comes into competition with any other railroad or company, or corporation, to engage in inter-state commerce, as not to be amenable to the provisions of this act, may apply to the Commissioner of Railroads for a permit to transport such kinds or classes of freight at the rates charged for transportation of the same by the railroad company or corporation so exempt from the full operation and restrictions of this act; and if the said Commissioner of Railroads shall be satisfied that the granting of such permit would not be unjust and injurious to the citizens of other points on the line of the railroad company or corporation so applying, then he may grant such permit for such time, and under such restrictions as he shall deem just and proper, and he shall have power after giving the parties in interest an opportunity to be heard, to remove such permit, on complaint of any person, company or corporation that may be aggrieved by the granting of the same: *Provided*, That such permit shall be printed and at least one copy thereof conspicuously posted, by the railroad company, or corporation receiving the

same, in each passenger and freight depot in this State, on the line of its railroad, that shall be designated by the said Commissioner of Railroads.

SECTION —. Any railroad company or corporation to which such permit, as is specified in the next preceding section may be granted, shall, in the rates charged for the transportation of the kinds or classes of freight in such permit named, while observing the rules and restrictions therein provided, be exempt from the other provisions of this act.

#### MOTIONS AND RESOLUTIONS.

Mr. Greiner moved to take from the table

Senate bill No. 45 (File No. 23), entitled

A bill amending section 9199 of Howell's Annotated Statutes, relative to breaking locks and chains attached to boats;

Which motion prevailed.

The question being on concurring in the amendment made by the House to the bill,

Mr. Greiner moved that the Senate concur in the amendments made to the bill by the House;

Which motion prevailed, by yeas and nays as follows:

#### YEAS.

Mr. Austin,	Mr. Francis,	Mr. Kempf,	Mr. Sherwood,
Brown,	Greiner,	Manwaring.	Smith, G. A.,
Cline,	Hawley,	Monroe,	Smith, S. W.,
Curtiss,	Heisterman,	Moon,	Spencer,
Davenport,	Henry,	Pennell,	Stephenson,
Davis,	Hubbell,	Phelps,	Woodruff,
Edwards,	Hueston,	Pulver,	President

*pro tem.*, 28

0

#### NAYS.

Mr. Belknap offered the following concurrent resolution:

*Resolved, By the Senate* (the House concurring), That the Secretary of State be, and he is hereby authorized and empowered to supply the Secretary of the Senate and the clerk of the House, upon their order, a sufficient number of the copies of the Legislative Manual for 1885, to supply one copy each to all clerks of committees, janitors, messengers, and other employés who have not already been supplied;

Which was adopted.

#### THIRD READING OF BILLS.

Senate bill No. 334 (File No. 196), entitled

A bill making an appropriation of State swamp land to aid the counties of Shiawassee and Clinton to remove bars and other obstructions to the free flow of water in the Looking Glass river, and to repeal act No. 239 of the session laws of 1881, entitled "An act to authorize the board of control of State swamp lands to make an appropriation of State swamp land to aid in the removal of bars and other obstructions to the free flow of water in the Looking Glass river, in the counties of Clinton and Shiawassee," approved June 8, 1881;

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent, Mr. Henry moved to amend the bill as follows:

By striking out of section 1, lines 5 and 6, the words "lower peninsula," and inserting in lieu thereof the words "counties of Shiawassee and Clinton;"

Pending which,  
 On motion of Mr. Francis,  
 The bill was laid on the table.  
 On motion of Mr. Francis,  
 The Senate took a recess until 2 o'clock P. M.

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AFTERNOON SESSION.

2 o'clock P. M.

The Senate met and was called to order by the President.  
 Roll called: a quorum present.  
 By unanimous consent, the Senate took up the order of

MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 21, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following, entitled bill:

Senate bill No. 15 (File No. 17), entitled

A bill to amend sections 1 and 3 of chapter 5 of an act entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within this State," being act No. 243, public acts of 1881, approved June 8, 1881,

And to inform the Senate that the House has amended the same as follows:

1st. Amend section 1 by adding thereto the following: "In St. Clair county streets or highways, reduced in width as aforesaid, shall be restored, repaired, and protected by the highway commissioners of the respective townships within such county where such streets or highways are situated."

2d. Amend section 3 by inserting in line 3 after the word "unincorporated" the following: "And not included in the county of St. Clair."

3d. Amend section 3 by adding at the end of said section the following: "Provided said road shall not be laid out within one hundred feet of any dwelling house;"

In the passage of which as thus amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The question being on concurring in the amendments made to the bill by the House,

On motion of Mr. Edwards,  
 The bill was laid on the table.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 21, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following entitled joint resolution:

Senate joint resolution No. 21 (File No. 10), entitled  
 Joint resolution proposing an amendment to section 28 of the schedule of  
 the constitution of this State, relative to the Governor's appointments;  
 In compliance with the request of the Senate for the return of same.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

Mr. Edwards moved to reconsider the vote by which the Senate passed the  
 joint resolution;

Which motion prevailed.

The question being on the passage of the joint resolution,

By unanimous consent, Mr. Edwards moved to amend the joint resolution  
 as follows:

By adding to the end of proposed section 28 the words "unless otherwise  
 provided by law;"

Which motion prevailed and the joint resolution was so amended.

The joint resolution as amended was then passed, a majority of all the  
 Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hubbell,	Mr. Pulver,
Belknap,	Edwards,	Hueston,	Sherwood,
Brown,	Francis,	Kempf,	Smith, G. A.,
Carveth,	Greiner,	Manwaring,	Smith, S. W.,
Cline,	Hawley,	Moon,	Spencer,
Curtiss,	Heisterman,	Pennell,	Stephenson,
Davenport,	Hertzler,	Phelps,	Woodruff, 28

NAYS.

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Title agreed to.

The following is the joint resolution:

**JOINT RESOLUTION** proposing an amendment to section 28 of the sched-  
 ule of the constitution of this State relative to the Governor's appoint-  
 ments.

*Resolved by the Senate and House of Representatives of the State of Michigan,*  
 That there shall be submitted to the electors of this State, for their approval  
 or rejection, the following amendment:

SEC. 28. The terms of office of all State and county officers, of the circuit  
 judges, members of the board of education, and members of the Legislature,  
 shall begin on the first day of January next succeeding their election: *Pro-*  
*vided,* That the terms of office of all State officers appointed by the Governor,  
 with or without the advice and consent of the Senate, shall commence on the  
 first day of February next succeeding their appointment, unless otherwise pro-  
 vided by law.

*Be it further resolved,* That said constitutional amendment shall be submit-  
 ted to the electors of the State at the general election to be held on the Tues-  
 day succeeding the first Monday in November, in the year 1886, and the Secre-  
 tary of State is hereby required to give notice of the same to the sheriffs of the  
 several counties of this State in the same manner that he is now required to do  
 in the case of the election of Governor and Lieutenant Governor, and the sev-  
 eral townships and cities in this State shall prepare a suitable box for the recep-  
 tion of ballots cast for or against said proposition. Each person voting for  
 said proposition shall have written or printed, or partly written and partly



printed on his ballot the words: "Amendment to the constitution relative to the Governor's appointments—Yes;" and each person voting against said proposition shall have written or printed or partly written and partly printed on his ballot the words: "Amendment to the constitution relative to the Governor's appointments—No." The ballots shall in all respects be canvassed and returns made as in the election of Governor and Lieutenant Governor.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 21, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to re-return to the Senate the following bill:

Senate bill No. 358, entitled

A bill to prohibit the taking or catching of fish in Gun Lake, in the counties of Barry and Allegan, by means of spears, nets, fire-arms, artificial lights, or explosive substances:

Which passed the House on the 16th inst., as shown by message of that date, but was subsequently recalled with a view to reconsider.

Now to inform the Senate that the vote by which the bill passed the House on the 16th inst., has not been reconsidered.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was then referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 21, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following entitled bill.

House bill No. 88 (File No. 133), entitled

A bill to amend sections 11, 15 and 29 of an act entitled "An act to authorize a board of public works in and for the city of Grand Rapids," approved March 22, 1873, as amended by act of April 29, 1875, and as further amended by act of May 12, 1877;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives,*

The bill was read a first and second time by its title, and referred to the committee on cities and villages.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 21, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following entitled bill:

House bill No. 384 (File No. 315), entitled

A bill to amend section 8 of an act entitled "An act relative to the organi-

zation and powers of fire and marine insurance companies transacting business within this State," approved April 3, 1869;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on insurance.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 21, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following entitled bill:

Senate bill No. 72 (File No. 119), entitled

A bill to repeal act No. 193 of the session laws of 1883, being continuous sections 8749a, 8749b, 8749c, 8749d, 8749e, 8749f, 8749g, 8749h, 8749i, 8749j, 8749k, 8749l of Howell's Annotated Statutes of this State, being an act to prevent debtors from giving preference to creditors, and to secure the equal distribution of the property of debtors among their creditors, and for the release of debts against debtors;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

### THIRD READING OF BILLS.

Mr. Pulver moved to take from the table

Senate bill No. 334 (File No. 196), entitled

A bill making an appropriation of State swamp land to aid the counties of Shiawassee and Clinton to remove bars and other obstructions to the free flow of water in the Looking-glass river, and to repeal act No. 239 of the session laws of 1881, entitled "An act to authorize the board of control of State swamp lands to make an appropriation of State swamp land to aid in the removal of bars and other obstructions to the free flow of water in the Looking-glass river, in the counties of Clinton and Shiawassee," approved June 8, 1881;

Which motion prevailed.

The question being upon the adoption of the amendment proposed by Senator Henry,

The same was not adopted.

The bill was then passed, two-thirds of all the Senators elect voting therefor, by yeas and nays, as follows:

### YEAS.

Mr. Austin,  
Belknap,  
Brown,

Mr. Davis,  
Edwards,  
Francis,

Mr. Hubbell,  
Hueston,  
Kempf,

Mr. Phelps,  
Pulver,  
Sherwood,

Mr. Carveth,	Mr. Greiner,	Mr. Manwaring,	Mr. Smith, G. A.,
Cline,	Hawley,	Monroe,	Smith, S. W.,
Curtiss,	Heisterman,	Moon,	Spencer,
Davenport,	Hertzler,	Pennell,	Woodruff,

28

## NAYS.

Mr. Henry,

1

Title agreed to.

On motion of Mr. Pulver,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

House bill No. 100 (File No. 50), entitled

A bill to establish a State Board of Fish Commissioners, and to repeal act No. 124, session laws of 1873, act No. 71, session laws of 1875, and act No. 3, session laws of 1882;

Was read a third time, and pending the taking of the vote thereon,

Mr. Sherwood moved that he be allowed to offer an amendment to the bill;

Which motion prevailed.

Mr. Sherwood moved to amend the bill as follows:

By adding to section 4, line 5, after the words "State Treasurer," the words, "out of the appropriations made therefor;"

Which motion prevailed, and the bill was so amended.

The bill as amended was then not passed, a majority of all the Senators elect not voting therefor by yeas and nays, as follows:

## YEAS.

Mr. Belknap,	Mr. Francis,	Mr. Monroe,	Mr. Smith, S. W.,
Brown,	Greiner,	Moon,	Spencer,
Curtiss,	Hueston,	Smith, G. A.,	Woodruff,
Edwards,	Kempf,		

14

## NAYS.

Mr. Cline,	Mr. Henry,	Mr. Hubbell,	Mr. Stephenson,
Heisterman,	Hertzler,	Manwaring,	

7

Mr. Hueston moved to reconsider the vote by which the Senate refused to pass the bill.

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Hueston,

The bill was laid on the table.

House bill No. 126 (File No. 118), entitled

A bill to amend section 3 of an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, designated as section 2165, chapter 63, of the general statutes in force;

Was read a third time, and pending the taking of the vote thereon

Mr. Henry moved that the further consideration of the bill be indefinitely postponed;

Which motion did not prevail.

Mr. Phelps moved that the bill be recommitted to the committee of the whole.

Mr. Carveth called for the yeas and nays.

The motion then did not prevail by yeas and nays as follows:

## YEAS.

Mr. Brown, Curtiss, Davis,	Mr. Edwards, Francis, Hubbell,	Mr. Manwaring, Moon, Phelps,	Mr. Pulver, Stephenson, Woodruff, 12
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## NAYS.

Mr. Austin, Belknap, Carveth, Cline,	Mr. Davenport, Greiner, Hawley, Henry,	Mr. Hertzler, Hueston, Kempf, Monroe,	Mr. Pennell, Sherwood, Smith, G. A., 15
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Mr. Austin moved that he be allowed to offer an amendment;

Mr. Carveth called for the yeas and nays.

The motion then prevailed by yeas and nays as follows:

## YEAS.

Mr. Austin, Belknap, Brown, Edwards,	Mr. Francis, Hubbell, Hueston,	Mr. Kempf, Monroe, Moon,	Mr. Phelps, Pulver, Sherwood, 13
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## NAYS.

Mr. Carveth, Cline, Davenport,	Mr. Davis, Greiner, Hawley,	Mr. Heisterman, Henry, Hertzler,	Mr. Manwaring, Smith, G. A., Stephenson, 12
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Whereupon Mr. Austin moved that the following be adopted as a substitute for the bill:

SECTION 1. *The People of the State of Michigan enact*, That section three of an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, designated as section 2165, chapter 63 of the general statutes in force, be and the same is hereby amended so as to read as follows:

SEC. 3. The meshes of the parts of pound or trap nets, commonly called the lead, the funnel, and the heart, shall not be less than five inches in extension; and the meshes of the parts of said nets commonly called the pot-crib or pocket (being that part in which the fish are finally captured), shall not be less than three and one-half inches in extension [when used in the waters south of the forty-third parallel of north latitude, and not less than four inches in extension when used in the waters north of said forty-third parallel]. No pound, trap, or other fixed or set net of whatever name or description shall be used in any waters of this State, the meshes of which are less in size than permitted by this section, under penalty and on pain of forfeiture of any such nets, or fine not exceeding three hundred dollars for each offense, or both, at the discretion of the court: *Provided*, That during the year 1885 all pound or trap nets purchased and owned prior to January 1, 1885, may be used if the meshes of the crib or pocket, as above described, are not less than three and one-half inches in extension. Pound nets shall be set so that the bars forming the meshes shall be in straight lines and running at an angle of forty-five degrees to the horizon: *And provided*, That the provisions of this bill shall not effect the twine now in use.

Mr. Hubbell moved to amend the substitute by adding the following:

*Provided*, That pound nets, with pots, cribs, or pockets of not less than two and one-half inch mesh in extension may be used for taking perch, herring,

and pickeral in the waters of this State; but this exception shall not be construed to permit the capture of other fish in any such nets;

Which was accepted.

Mr. Hubbell moved to further amend by striking out the words "when used in the waters south of the forty-third parallel of north latitude, and not less than four inches in extension, when used in the waters north of said forty-third parallel;"

Which motion prevailed.

Which motion prevailed, and the substitute was so amended.

Mr. Carveth moved to further amend the substitute, by adding the words: "*Provided*, That the provisions of this act shall not apply to the inland lakes and rivers of this State; but this exemption of the inland rivers shall not be construed to exempt the rivers connecting the great lakes;"

Which motion prevailed.

Mr. Hawley moved that the substitute be amended by adding the following: "*Provided*, That the provisions of this act shall not apply to the fisheries owned and controlled by the fishermen of Detroit and Au Sable;"

Which motion did not prevail.

Mr. Heisterman moved to strike out the following words:

"Pound nets shall be set so that the bars forming the meshes shall be in straight lines and running at an angle of forty-five degrees to the horizon;"

Which motion did not prevail.

Mr. Hertzler moved to further amend the substitute by inserting the words "as manufactured" after the word "extension" wherever it occurs;

Which motion prevailed.

Mr. Henry moved to amend section 3, line 10, by striking out the words "year 1885" and inserting in lieu thereof the words "years 1885 and 1886;" also by striking out the words "January 1, 1885," inserting instead thereof the words "July 1, 1885;"

Which motion prevailed.

The substitute as amended was then adopted.

The bill was then passed, a majority of all the Senators elect voting therefor by yeas and nays as follows:

#### YEAS.

Mr. Austin,	Mr. Greiner,	Mr. Moon,	Mr. Smith, G. A.,
Belknap,	Hubbell,	Pennell,	Smith, S. W..
Carveth,	Hueston,	Phelps,	Spencer,
Edwards,	Kempf,	Pulver,	Stephenson,
Francis,	Monroe,	Sherwood,	Woodruff, 20

#### NAYS.

Mr. Cline,	Mr. Davenport,	Mr. Hawley,	Mr. Henry,
Curtiss,	Davis,	Heisterman,	Manwaring, 8

Title agreed to.

Mr. Kempf moved to take from the table

House bill No. 100 (File No. 50), entitled

A bill to establish a State board of fish commissioners, and to repeal act No. 124, session laws of 1873, act No. 71, session laws of 1875, and act No. 3, session laws of 1882,

Which motion prevailed.

The bill having been read a third time, and question being upon its passage,

the same was then passed, a majority of all the senators elect voting therefor by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Hubbell,	Mr. Pennell,	Mr. Smith, S. W.,
Belknap,	Hueston,	Phelps,	Spencer,
Edwards,	Kempf,	Pulver,	Stephenson,
Francis,	Monroe,	Smith, G. A.,	Woodruff,
Greiner,	Moon,		

18

## NAYS.

Mr. Carveth,	Mr. Davenport,	Mr. Heisterman,	Mr. Manwaring,
Cline,	Davis,	Henry,	Sherwood,
Curtiss,	Hawley,	Hertzler,	

11

Title agreed to.

House bill No. 147 (File No. 52) entitled

A bill to amend sections 2, 8, and 12, of an act entitled "An act to regulate the catching of fish in certain waters of this State, being act No. 188 of the session laws of 1875, approved May 1, 1875;

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Greiner,	Mr. Kempf,	Mr. Pulver,
Belknap,	Heisterman,	Monroe,	Smith, G. A.,
Brown,	Henry,	Moon,	Spencer,
Edwards,	Hubbell,	Pennell,	Stephenson,
Francis,	Hueston,	Phelps,	Woodruff,

20

## NAYS.

Mr. Cline,	Mr. Davenport,	Mr. Hawley,	Mr. Hertzler,
Curtiss,			

5

Title agreed to.

House bill No. 224 (File No. 186), entitled

A bill to amend an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, being act No. 350, session laws of 1865, by adding two new sections, to be designated as sections 12 and 13,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent,

Mr. Sherwood moved to amend the bill as follows;

By striking out of section 12, line 1, the words "three-fourths," and inserting in lieu thereof the word "one-fourth."

By unanimous consent.

Mr. Moon moved to amend the amendment as follows:

By inserting "one-half" in place of "one-fourth;"

Which motion did not prevail.

The motion to amend then prevailed.

By unanimous consent,

Mr. Henry moved to further amend the bill as follows:

1. By striking out in section 12, line 2, the word "January," and inserting in lieu thereof the word "July;"

Which motion did not prevail.

By unanimous consent, Mr. Henry moved to further amend the bill as follows:

Amend section 13, by adding to the end thereof "Provided, that the provisions of this act shall not apply to the waters of Lake Huron;"

Which motion did not prevail.

Mr. Manwaring moved that he be allowed to offer an amendment at this time;

Which motion prevailed.

Mr. Manwaring moved to further amend the bill, as follows:

By adding to the end of the bill the words "Provided, that the provisions of this act shall not apply to the inland waters of this State;"

Which motion did not prevail.

The bill as amended was then passed, a majority of all the Senators elect voting therefor by yeas and nays as follows:

#### YEAS.

Mr. Austin,	Mr. Francis,	Mr. Monroe,	Mr. Smith, G. A.,	
Belknap,	Greiner,	Moon,	Spencer,	
Brown,	Hubbell,	Pennell,	Stephenson,	
Davis,	Hueston,	Phelps,	Woodruff,	
Edwards,	Kempf,	Sherwood,		19

#### NAYS.

Mr. Cline,	Mr. Davenport,	Mr. Henry,	Mr. Manwaring,	
Curtiss,	Hawley,	Hertzler,	Pulver,	8

Title agreed to.

House bill No. 599 (File No. 216), entitled

A bill to amend section four of an act entitled "An act to protect fish and preserve fisheries in this State," approved March 21, 1865, act No. 350 session laws of 1865, being section 2166 of Howell's Annotated Statutes,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent, Mr Hertzler moved to amend the bill as follows:

By striking out the enacting clause;

Which motion did not prevail.

The bill was then not passed, a majority of all the Senators elect not voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Francis,	Mr. Kempf,	Mr. Smith, G. A.,	
Belknap,	Greiner,	Moon,	Smith, S. W.,	
Brown,	Hubbell,	Phelps,	Woodruff,	
Edwards,	Hueston,			14

#### NAYS.

Mr. Cline,	Mr. Hawley,	Mr. Hertzler,	Mr. Monroe,	
Curtiss,	Heisterman,	Manwaring,	Stephenson,	8

Mr. Hueston moved to reconsider the vote by which the Senate refused to pass the bill;

Which motion prevailed.

The question being on the passage of the bill,

On motion of Mr. Hueston,

The bill was laid on the table.

## REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor, the following:

Senate bill No. 358, entitled

A bill to prohibit the taking or catching of fish in Gun lake, in the counties of Barry and Allegan, by means of spears, nets, fire-arms, or artificial lights, or explosive substances.

J. W. BELKNAP, *Chairman.*

Report accepted.

The President made the following announcement:

I hereby appoint as Senate members of the joint committee of both Houses authorized by Senate joint resolution No. 5 (File 16), to provide for a joint committee to investigate and report on site for soldiers' home in Michigan, Senators Hueston, Francis and Austin.

On motion of Mr. Cline,

The Senate adjourned.

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*Lansing, Wednesday, April 22, 1885.*

The Senate met and was called to order by the President at 10 o'clock A. M.

Prayer by the Rev. Mr. Valentine.

Roll called: a quorum present.

Absent without leave, Senator Shoemaker.

Mr. Belknap asked and obtained leave of absence for Mr. Shoemaker indefinitely on account of sickness.

## PRESENTATION OF PETITIONS.

No. 653. By Mr. Davis: Petition of Charles F. Chapman and 116 others, voters and citizens of Vassar, for the submission of the prohibitory amendment to the voters of the State regarding the manufacture and sale of liquor.

No. 654. By the same: Petition of Mrs. Mary Livingston and 29 other ladies, same object.

No. 655. By Mr. Manwaring: Petition of W. W. Pierce and 20 other citizens of Montcalm county, asking for *four* of the honorable Senators of this body to restore the time-honored principles of Democracy in this Senate.

No. 656. By the same: Petition of W. D. Pettibone, E. A. Ferguson, and 96 others, same object.

No. 657. By Mr. Woodruff: Petition of S. Curtis and 59 others, of Ithaca, Gratiot county, same object.

No. 658. By the Secretary, by mail: Petition of C. B. Drake and 32 others, same object.

The 6 petitions were referred to the committee on liquor traffic.

No. 659. By Mr. Stephenson: Remonstrances of Republic Iron Co., D. Morgan, M. J. Webb, and 392 other residents of Republic, Marquette county, against



passage of minority bill. Above comprise all the business men of Republic; of C. J. Roberts and 62 others of Mastedon, Marquette county; of Gordon Merry and 71 others of Negaunee, Marquette county; of William Sedgwick and 62 others of Ishpeming; of Henry Merry and 169 others of Negaunee; of James Rascoe and 273 others of Champion; of W. H. Rood and 9 others of Deer Lake; of F. P. Mills and 126 others of Iron River and Stamburgh; of J. O. St. Clair and 35 others of West Republic; of D. H. Bacon and 23 others of Ishpeming; of L. Stanard and 45 others of Rockland; of Johnson Vivian and 61 others of Hancock; of E. P. Royce and 22 others of Escanaba; of John Bangh, of Springwells; of D. H. Hoskins and 124 others of Houghton; of George A. St. Clair and 61 others of Winthney; of John F. Armstrong and 415 others of Ishpeming; of H. C. Kimball and 43 others of Crystal Falls; of John Duncan and 60 others of Calumet; of Thomas Mills and 62 others of Calumet; of J. H. Vivian and 171 others of Hancock; of Thomas Hooper and 59 others of Ontonagon; of William Daniel and 35 others of Calumet; of D. D. Brochway and 8 others of Eagle River; of M. K. Kern and 125 others of Menominee county; of Edward Ryan and 49 others of Hancock; of Edwin Reeder and 24 others of Springwells; of Fred Smith and 59 others of Allouez; of W. R. Babcock and 82 others of Vulcan Mines; of J. H. Walton and 53 others of Menominee; of J. R. Cooper and 124 others of Hancock; of John Daniel and 39 others of Oscoda; of Austin B. Morse and 70 others of Negaunee; of H. C. Southworth and 18 others of Quincy Mine; of John Oliver and 73 others of Menominee county; of C. H. Cady and 90 others of Iron Mountain; of A. L. Millard and 23 others of Adrian; of A. B. Richmond and 36 others of Grand Rapids; of Edward S. Walter and 56 others of Keweenaw county; of George M. West and 29 others of Escanaba; of E. Chamberlain and 18 others of the Belt Mine; of Samuel Mitchell, Vice President Ishpeming National Bank, Saginaw Iron Company, National Iron County, and others; of W. H. Johnson and 21 others of Ishpeming; of Thomas Buzzo and 30 others of the Salisbury mine; of Wm. Palmer and 22 others of Humbolt; of D. H. Merritt and 54 others of Marquette; of Maurice Paradise and 78 others of Michigamme; of C. H. Hall and 163 others of Ishpeming; of J. C. Fowle and 25 others of Michigamme; of H. Diamond and 95 others of Ishpeming; of C. S. Gregory and 175 others of Washtenaw county; of Peter White and 45 others of Marquette; of R. B. McKnight and 23 other citizens of Saginaw; all against the passage of

House bill (File No. 88) being

A bill to secure to the minority of stockholders in corporations organized under the general laws.

All of which petitions were referred to the committee on banks and incorporations.

No. 660. By Mr. Pennell: Petition of A. A. Woodruff and 45 others for the passage of the minority bill;

Referred to the committee on banks and incorporations.

No. 661. By Mr. Henry: Remonstrance of certain supervisors of Cheboygan county against creating the county of Sumner;

Referred to the committee on counties and townships.

No. 662. By Mr. Curtiss: Petition of Alphonse Buttars regarding injuries received while in the State service;

Referred to the committee on military affairs.

No. 663. By Mr. S. W. Smith: Petition of Wm. H. Bomer and 89 others of

Oakland county, asking for the passage of a bill to prevent the hounding of deer;

Referred to the committee on State affairs.

No. 664. By Mr. Monroe; Petition of F. E. Sherwood and 59 others in favor of the passage of the pharmacy bill;

No. 665. By Mr. Belknap: Petition of L. J. Barnard and 59 others of Ionia; same subject.

The two petitions were referred to the committee on public health.

No. 666. By Mr. Pulver: Petition of O. C. Waugh and 26 others of Shiawassee county in favor of submitting to the people the prohibitory amendment to the constitution regarding the liquor traffic.

No. 667. By Mr. Carpenter. Petition of 103 voters of Tecumseh, Lenawee county; same object.

The two petitions were referred to the committee on liquor traffic.

#### REPORTS OF STANDING COMMITTEES.

By the committee on counties and townships:

The committee on counties and townships, to whom was referred

House bill No. 85 (File No. 137), entitled

A bill to authorize the township of Spalding, in Saginaw county, to borrow money to be used either in purchasing the bridge of the Cass River Bridge Company, heretofore constructed across Cass river, or in the construction of a new bridge, and to issue bonds therefor;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying substitute therefor, entitled

A bill to authorize the township of Spalding, in Saginaw county, to borrow money to be used either in purchasing the bridge of the Cass River Bridge Company heretofore constructed across Cass river, in raising above high water mark and grading the quarter-line road leading to said bridge, including the approaches thereto, or in the construction of a new bridge, and to issue bonds therefor.

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Davenport,

The Senate concurred in the adoption of the substitute reported for the bill by the committee.

On motion of Mr. Davenport,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Henry,	Mr. Pulver,
Belknap,	Edwards,	Hertzler,	Smith, G. A.,
Carpenter,	Francis,	Hueston,	Smith, S. W.,
Carveth,	Greiner,	Manwaring,	Spencer,
Curtiss,	Hawley,	Monroe,	Stephenson,
Davenport,	Heisterman,	Pennell,	Woodruff, 24

#### NAYS.

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Title agreed to.

On motion of Mr. Davenport,  
By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on military affairs:

The committee on military affairs, to whom was referred

Senate joint resolution No. 8, entitled

Joint resolution for the relief of Albert Manypenny,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY WOODRUFF, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on military affairs:

The committee on military affairs, to whom was referred

House joint resolution No. 35 (File No. 17), entitled

Joint resolution for the relief of George P. Baker,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY WOODRUFF, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Greiner,

The rules were suspended, and the joint resolution was placed on its immediate passage.

#### YEAS.

Mr. Austin,  
Belknap,  
Carpenter,  
Curtiss,  
Davenport,  
Davis,

Mr. Edwards,  
Francis,  
Greiner,  
Hawley,  
Heisterman,

Mr. Hertzler,  
Hubbell,  
Hueston,  
Manwaring,  
Moon,

Mr. Pennell,  
Pulver,  
Spencer,  
Stephenson,  
Woodruff,

21

#### NAYS.

0

Title and preamble agreed to.

On motion of Mr. Greiner,

By a vote of two-thirds of all the Senators elect, the joint resolution was ordered to take immediate effect.

By the committee on military affairs:

The committee on military affairs, to whom was referred

Senate joint resolution No. 7, entitled

Joint resolution for the relief of Lorenzo Buck,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY WOODRUFF, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on roads and bridges :

The committee on roads and bridges, to whom was referred

House bill No. 416, entitled

A bill to authorize the board of supervisors of Charlevoix county to establish, maintain, and operate a ferry across the south arm of Pine Lake, at or near Ironton in said county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

MICHAEL GREINER, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment :

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor the following :

Senate bill No. 72 (File No. 119), entitled

A bill to repeal act No. 193 of the session laws of 1883, being continuous sections 8749a, 8749b, 8749c, 8749d, 8749e, 8749f, 8749g, 8749h, 8749i, 8749j, 8749k, 8749l of Howell's Annotated Statutes of this State, being an act to prevent debtors from giving preference to creditors, and to secure the equal distribution of the property of debtors among their creditors, and for the release of debts against debtors ;

Also,

Senate bill No. 198 (File No. 79), entitled

A bill to amend sections 2, 3, 4, 9, and 14, of chapter 2, and to add a new section to said chapter to stand as section 15 ; and to amend sections 4 and 6 of chapter 4, and to amend section 4 of chapter 11 of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement, and maintenance of highways and private roads," and the building, repairing, and preservation of bridges within the State," approved June 8, 1881 ;

Also,

Senate bill No. 45 (File No. 23), entitled

A bill amending section 9199 of Howell's Annotated Statutes relative to breaking locks and chains attached to boats ;

Also,

Senate bill No. 223 (File No. 99), entitled

A bill to establish and maintain a free public library in the city of Jackson.

J. W. BELKNAP, *Chairman.*

Report accepted.

#### MESSAGES FROM THE HOUSE.

The President announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, April 21, 1885. }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following entitled bill :

House bill No. 462 (File No. 275) entitled

A bill to amend section 2, chapter 50 of the compiled laws of 1871, being compiler's section 1817, relative to the support of poor persons by the public, the same being section 1756 of Howell's Annotated Statutes;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 22, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following concurrent resolution:

WHEREAS, The United States unsurveyed shoal water lands in Lake St. Clair, in the State of Michigan, generally known as the St. Clair Flats, are and long have been a place of favorite and great resort by the people, even from abroad, for boating and sailing, recreation and health, and for fishing and hunting, the same being a world famous resort for game, in season;

AND WHEREAS, It is a grateful convenience and a beneficent privilege to the public to have at hand an inviting resort conferring as does this territory especial favors, where the people may go for proper and healthful pleasure and for relaxation and recuperation from the wearing pursuits of business;

AND WHEREAS, This territory has for so long been a place of free resort for all the people for the purposes aforementioned that they would not now know how to do without it, and situated as it is adjacent to the great and growing city of Detroit—a just pride of the whole country—it too would most justly, deeply, and forever feel its irreparable loss as a place of public resort, while the sum for which it would be sold as a part of the public domain would constitute but a trifling one which would never be felt to be of account;

AND WHEREAS, Attempts have been made by various parties to possess this territory by private acquisition for the purpose of converting the same into close private preserves, thus arbitrarily excluding the public forever from all rights therein and constituting the territory a permanent and most aggravating monopoly against the people for all time, a bill for which purpose was introduced into the preceding congress but which went down under the strong and earnest protest by the people against it by petition and otherwise, aided by private efforts;

AND WHEREAS, Other attempts are being made for the private acquisition of this territory, its possession being very desirable, and it being probable that if not formally set aside for the people it will pass to private occupation either by free-booting right or by private acquisition;

Therefore, This territory being a part of the public domain and believing such measure to be in the line of a wise and beneficent public policy;

*Be it resolved by the Senate of the State of Michigan* (the House concurring therein), That Congress is hereby requested by proper statute to set aside the said St. Clair territory as a national preserve for the people of the United

States, subject to wise and proper regulations which it shall prescribe ; and also that our Senators and Representatives in Congress are requested to give their earnest support to such measure, and efficiently oppose all private claims and efforts to obtain possession of said territory which are not plainly warranted by unmistakable legal right and justice.

AND WHEREAS, We deprecate the policy which the general government has extensively practiced in the past of selling to private parties the United States unsurveyed overflowed shoal water and marsh lands which in many localities in extensive tracts border the nation's public waters—as the inlets of the ocean our navigable lakes and rivers—to be converted by said parties into close private shooting preserves to the perpetual exclusion of the people therefrom, such exclusion greatly abridging, as it does, the freedom and desirable privileges to the people which should be afforded by the public waters, which exclusion is already, and in the future will more and more be felt to be a public aggravation and outrage of magnitude, for the people habitually, largely, and very properly, and will more and more in the future resort to the public waters for recreation, tripping, health, fishing, sailing and shooting ;

AND WHEREAS, These lands are of much account to the people for the purpose of public resort, and also as they come of or belong to the public or people's domain, there is eminent equity and propriety in the demand that they be preserved for public use ;

AND WHEREAS, The majority of this class of overflowed favorite territory for fish and game, and for public resort in the nation, has already passed to the exclusion of private ownership and control ; therefore, we express our earnest belief that the unwise and injurious policy of selling these lands to private parties should go no further ; and therefore,

*Be it resolved by the Senate* (the House concurring), That Congress is respectfully requested to interpose against their further private acquisition, and to set aside, by proper enactment, this class of territory belonging to the public domain, as a common preserve for the use of the people, subject to such regulations as may be established by rightful authority ; and that our Senators and Representatives in Congress be requested to use their best endeavors to secure such proper legislation ;

In the adoption of which the House has concurred.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The concurrent resolution was referred to the committee on engrossment and enrollment for enrollment.

#### MOTIONS AND RESOLUTIONS.

Mr. Henry moved to take from the table

Senate bill No. 15 (File No. 17), entitled

A bill to amend sections 1 and 3, of chapter 5, of an act entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within this State," being act No. 243, public acts of 1881, approved June 8, 1881 ;

Which motion prevailed.

The question being on concurring in the amendments made to the bill by the House,

Mr. Henry moved that the Senate concur in the amendments made to the bill by the House;

Which motion prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hubbell,	Mr. Moon,	
Belknap,	Francis,	Hueston,	Pulver,	
Carpenter,	Heisterman,	Kempf,	Smith, G.A.,	
Curtiss,	Henry,	Manwaring,	Stephenson,	
Davenport,	Hertzler,	Monroe,	Woodruff,	21
Davis,				

## NAYS.

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The bill was referred to the committee on engrossment and enrollment for enrollment.

## GENERAL ORDER.

On motion of Mr. Hubbell,

The Senate went into committee of the whole on the general order,  
Mr. Moon in the chair.

After some time spent therein, the committee rose, and, through their chairman, made the following report:

The committee of the whole have had under consideration the following:

Senate bill No. 107 (File No. 139), entitled

A bill making an appropriation for furnishing and providing apparatus for the Northern Asylum for the insane at Traverse City, Michigan.

Senate bill No. 169 (File No. 155), entitled

A bill to amend sections 2 and 7 of act No. 169 of the public acts of 1881, to increase the salary of the State Librarian.

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

Senate bill No. 359 (File No. 162), entitled

A bill making an appropriation of twenty thousand dollars as a working capital for the Northern Michigan Asylum for the Insane,

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the Senate and ask leave to sit again.

J. W. MOON, *Chairman*.

Report accepted.

The first two named bills were placed on the order of third reading of bills.

On motion of Mr. Moon,

The committee was granted leave to sit again.

On motion of Mr. Pulver,

The Senate took a recess until 2 o'clock P. M.

## AFTERNOON SESSION.

2 o'clock P. M.

The Senate met and was called to order by the President.

Roll called: a quorum present.

## SPECIAL ORDER.

On motion of Mr. Hertzler,

The Senate went into committee of the whole on the special order,

Mr. Hueston in the chair.

After some time spent therein, the committee rose, and, through their chairman made the following report:

The committee of the whole have had under consideration the following:  
Senate bill No. 18 (File No. 83), entitled

A bill to secure the minority of stockholders, in corporations organized under general laws, the power of electing a representative membership in boards of directors;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the Senate and ask leave to sit again.

JAS. HUESTON, *Chairman*.

Report accepted.

On motion of Mr. Hawley,

The further consideration of the bill was made a special order for Thursday, at 2 o'clock P. M.

On motion of Mr. G. A. Smith,

Leave of absence was granted to the committee on State House of Correction for Thursday.

On motion of Mr. Belknap,

Leave of absence was granted to the committee on the Institution for the Deaf and Dumb for Thursday's session.

On motion of Mr. Pulver,

The Senate adjourned.

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*Lansing, Thursday, April 23, 1865.*

The Senate met and was called to order by the President at 10 o'clock A. M.

Prayer by the Rev. Dr. Jameson.

Roll called: a quorum present.

By unanimous consent,

Mr. Sherwood moved to reconsider the vote by which the Senate passed

House bill No. 224 (File No. 224), entitled

A bill to amend an act entitled "An act to protect fish and preserve the fisheries of this State," approved March 21, 1865, being act No. 350, session laws of 1865, by adding two new sections to be designated as sections 12 and 13;

Which motion prevailed.

The question being on the passage of the bill, and pending the taking of the vote thereon,

By unanimous consent, Mr. Sherwood moved to amend the bill as follows:



By striking out in the Senate amendment, section 12, line 2, the word "January," and inserting in lieu thereof the word "June;"

Which motion prevailed and the bill was so amended.

The bill having been read a third time, and the question being upon its passage, it was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Greiner,	Mr. Kempf,	Mr. Pulver,
Carveth,	Heisterman,	Monroe,	Sherwood,
Curtiss,	Henry,	Moon,	Smith, S. W.,
Davenport,	Hertzler,	Pennell,	Spencer,
Edwards,	Hueston,	Phelps,	Stephenson,
Francis,			

21

## NAYS.

Mr. Cline,	Mr. Hawley,	Mr. Manwaring,
Title agreed to.		

3

## PETITIONS.

No. 668. By Mr. Hawley: The following communication was received:

CITY OF DETROIT, }  
CITY ATTORNEY'S OFFICE, }  
April 22d, 1885. }

*To the Hon. Senators, State of Michigan:*

GENTLEMEN,—In compliance with the direction of the board of aldermen of the city of Detroit, I most respectfully submit and solicit your consideration of the following resolution, adopted by the board of aldermen on the 21st inst.

Very respectfully,

JNO. B. CORLISS,

*City Attorney.*

By Ald. Moloney:

WHEREAS, The common council has heretofore fully investigated the question of annexation of territory to the city of Detroit, and after full deliberation have recommended to the State Legislature a proper boundary for such annexation, to-wit: Baldwin avenue on the east, and Livernois and Artillery avenues on the west;

AND WHEREAS, The committee on cities and villages of the State Senate have reported a bill in favor of a narrow limit on the west, to-wit.: Clark avenue;

AND WHEREAS, The people of the city of Detroit, as well as the people living in Springwells are desirous of securing proper boundaries, including the large manufacturing industries and lands thickly populated lying west of Clark avenue;

AND WHEREAS, It would be more advantageous to the city of Detroit to be defeated in the present attempt to secure annexation, rather than submit to Clark avenue as a boundary line, owing to the fact that all the large manufacturing and thickly populated portions of Springwells and unsanitary grounds, including clay-pits, cess-pools, etc., are located west of Clark avenue; therefore

*Resolved*, By the board of aldermen representing the people of the city of Detroit, that we most respectfully protest against the adoption of Clark avenue as a boundary line on the west, and respectfully memorialize the Legislature to

extend the limits on the west to Livernois avenue or at least Grand Junction ; also,

*Resolved*, That the city attorney be requested to go to Lansing and present these resolutions to the State Senate and House of Representatives respectively, and endeavor, if possible, to secure the adoption of boundary lines in conformity herewith.

Adopted.

Referred to the committee on cities and villages.

No. 669. By Mr. Moon: Petition of A. G. Jepson, P. J. Connell, and 72 others, of Muskegon, for the submission of a constitutional amendment to the people prohibiting the manufacture and sale of liquors ;

No. 670. By Mr. Francis: Petition of A. L. Thurston and 17 others, of Charlevoix county, same object ;

The two petitions were referred to the committee on liquor traffic.

No. 671. By Mr. Phelps: Affidavit of Alex G. Burman relative to certain petitions signed by 1,562 mill laborers for a reduction of the hours of labor.

On motion of Mr. Phelps,

The affidavit was ordered printed in the Journal and referred to the committee on labor.

The following is the affidavit :

STATE OF MICHIGAN, }  
County of Manistee, } ss.

*In Justice Court, before J. J. Van Den Bergh, one of the Justices of the Peace in and for said county :*

On this 20th day of April, 1885, Alex G. Burman appeared before me and made the following statement under oath, to-wit: That he, Alex G. Burman, has now in his possession petitions to the mill owners of Manistee signed by fifteen hundred and sixty-two mill workers and laborers of Manistee and that vicinity for the reduction of the hours of labor from eleven to ten hours per day. Said petitions, with said number of signers thereto, was also exhibited to the court as a guarantee to the truth of said statement.

ALEX G. BURMAN.

Sworn to and subscribed before me this 20th day of April, A. D. 1885.

J. J. VAN DEN BERGH,

*Justice of the Peace.*

No. 672. By Mr. Davenport: Preamble and resolutions of Local Assembly No. 3,322 Knights of Labor, of East Saginaw, in favor of the passage of House bill No. 179 (File No. 148), entitled, A bill making 10 hours a legal day's work.

On motion of Mr. Davenport,

The preamble and resolutions were ordered printed in the Journal and referred to the committee on labor.

The following are the preamble and resolutions :

*East Saginaw, April 18, 1885.*

*To the Honorable Members of the Senate of Michigan :*

At a regular meeting of Local Assembly No. 3322, K. of L., the following preamble and resolutions were unanimously adopted :

WHEREAS, The first duty of a government, whether National, State, or Municipal, should be for the people, or in other words, "to secure the greatest good to the greatest number," so that they may more freely enjoy their natural and God-given rights of life liberty, and the pursuit of happiness, untrammelled by class law which enables capitalists and employers to oppress their

employés; deprive them of their just earnings, and even of the privilege to earn, and year after year making the producers more dependent upon the capitalist until their condition has become one of abject misery and slavery, a slavery more degrading than that of the negroes of the south 25 years ago;

AND WHEREAS, The bill now before your honorable body, to-wit: House bill No. 179 (File No. 148), entitled "A bill to make ten hours a legal days work," will, in a measure, tend to relieve the toiling masses by shortening the hours of labor, thereby leaving more time for social enjoyment and intellectual improvement, encouraging thrift and industry, and increasing the standard of citizenship; therefore

*Be it resolved,* That we demand of our Senators to unite their efforts and secure the passage of this bill as submitted, being a simple measure of justice to the citizens of the State.

Signed—John Burdette, M. W., David Barry, R. S., East Saginaw Assembly No. 3322; Thos. Sager, M. W., Wm. C. Stuart, R. S., East Saginaw Assembly No. 3653; A. L. Brush, M. W., H. W. Booth, R. S., East Saginaw Assembly No. 2796; E. L. B. Edmonds, President, and Anthony Kruzler, R. S., Iron Molders' Union; S. J. Still, F. D., T. McPherson, R. S., No. 2948, East Saginaw; H. H. Wallis, President, Wm. J. Bell, R. S., East Saginaw Typographical Union No. 50; John Williams, President, Samuel Brant, R. S., Brick-layers' Union No. 3, East Saginaw; M. C. Danforth, President, David Barry, R. C., Central Labor Union; John Still, D. M. W., R. C. Walworth, D. R. S., District Assembly No. 74, Saginaw City.

#### REPORTS OF STANDING COMMITTEES.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred  
Senate bill No. 254, entitled

A bill to amend the charter of the village of Lowell,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Francis,

The bill was laid on the table.

House bill No. 692, entitled

A bill to organize the township of Case, in the county of Presque Isle,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on counties and townships:

The committee on counties and townships, to whom was referred

House bill No. 487 (File No. 280), entitled

A bill to detach certain territory from the counties of Cheboygan and Presque Isle, and to organize the same into a new county, to be called Summer county, and to detach certain territory from Presque Isle county and attach the same to Cheboygan county;

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Manwaring,

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 564 (File No. 215), entitled

A bill to amend act No. 302 of the session laws of 1875, entitled "An act to amend an act entitled an act to amend an act entitled an act to revise the charter of the city of Holland, being amendatory of an act entitled an act to incorporate the city of Holland, approved March 25, 1867, approved March 23, 1871, which became a law April 2, 1873," approved April 1, 1875, as amended by act No. 268 of the session laws of 1877, approved March 22, 1877, by adding a new title thereto to stand as title 26, relative to a board of water commissioners;

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kempf,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Greiner,	Mr. Hueston,	Mr. Phelps,
Carpenter,	Hawley,	Kempf,	Pulver,
Curtiss,	Heisterman,	Manwaring,	Sherwood,
Davenport,	Henry,	Monroe,	Smith, S. W.,
Edwards,	Hertzler,	Moon,	Spencer,
Francis,	Hubbell,	Pennell,	Stephenson, 24

#### NAYS.

0

Title agreed to.

On motion of Mr. Moon,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 603 (File No. 151), entitled

A bill to incorporate the city of Wyandotte and to repeal act number 297

of the session laws of 1867, approved March 5, 1867, and all acts amendatory thereto;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hueston,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Francis,	Mr. Hubbell,	Mr. Phelps,
Carpenter,	Greiner,	Hueston,	Pulver,
Carveth,	Hawley,	Kempf,	Sherwood,
Cline,	Heisterman,	Manwaring,	Smith, S. W.,
Curtiss,	Henry,	Monroe,	Spencer,
Davenport,	Hertzler,	Moon,	Stephenson,
Edwards,			

25

NAYS.

0

Title agreed to.

On motion of Mr. Hueston,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

Senate bill No. 125 (File No. 86), entitled

A bill to amend sections 21, 22, 23, 24, 29, 30, 32, 33, 35, 43, 49, 59, and 60 of an act entitled "An act to revise and amend the charter of the city of Battle Creek," approved April 3, 1879, and to repeal section 34 of said act;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate with amendments thereto, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Kempf,

The Senate concurred in the amendments made to the bill by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committees on State affairs and education and public schools:

The committees on State affairs and education and public schools, to whom was jointly referred

Senate bill No. 330, entitled

A bill to provide for uniform text-books for all primary, district, and graded schools of the State of Michigan, receiving State patronage, being wholly or in part supported by public moneys or the mill tax, excepting the State Normal school, Agricultural college and the University of Michigan,

Respectfully report that they have had the same under consideration, and have directed us to report the same back to the Senate, without amendment, with the recommendation that it be printed for the use of the committees.

FITCH PHELPS,

*Chairman Committee on State Affairs.*

JOHN CARVETH,

*Chairman Committee on Education and Public Schools.*

Report accepted and committees discharged.

On motion of Mr. Phelps,

The bill was ordered printed and re-referred to the committees.

MESSAGE FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICE, }  
Lansing, April 23, 1885. }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State:

[Senate joint resolution No. 5, File No. 16, being]

Joint resolution declaring the necessity of having one or more soldiers' homes established in this State for the protection of Union soldiers and marines who have become disabled since their discharge from service, and to provide a joint committee to investigate and report as to feasibility of the Dearborn arsenal property, etc.;

Also,

[Senate bill No. 45, File No. 23, being]

An act amending section 9199 of Howell's Annotated Statutes, relative to breaking locks and chains attached to boats;

Also,

[Senate bill No. 188, File No. 108, being]

An act to amend section 703, of the compiled laws of 1871, as amended by act number 53, of the session laws of 1873, being section 741 of Howell's Annotated Statutes, relative to the duties of township clerks;

R. A. ALGER, *Governor.*

The message was laid on the table.

The President also announced the following:

EXECUTIVE OFFICE, MICHIGAN, }  
Lansing, April 23, 1885. }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State:

[Senate bill No. 223 (File No. 99), being]

An act to establish and maintain a free public library in the city of Jackson;

Also,

[Senate bill No. 213 (File No. 106), being]

An act to re-incorporate the village of Marine City, in St. Clair county;

Also,

[Senate bill No. 358, being]

An act to prohibit the taking or catching of fish in the waters of Gun Lake, in the counties of Barry and Allegan, by means of spears, nets, fire-arms, artificial lights, or explosive substances;

Also,

[Senate bill No. 15 (File No. 17), being]

A bill to amend sections 1 and 3 of chapter 5 of an act entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement, and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within this State," being act No. 243, public acts of 1881, approved June 8, 1881.

RUSSELL A. ALGER,  
*Governor.*

The message was laid on the table.

#### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 22, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following entitled bill:  
House bill No. 440 (File No. 283), entitled

A bill to repeal sections 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 of act No. 192 of the session laws of 1871, approved April 17 and July 18, 1871, and all acts or parts of acts amendatory thereto, and to repeal sections 1 and 2 of act No. 82 of the session laws of 1879 and all acts amendatory thereof, being sections 9882, 9883, 9884, 9885, 9886, 9887, 9888, 9889, 9890, 9891, 9892, and 9893 of Howell's Annotated Statutes of the State of Michigan, relative to the State Board of Corrections and Charities,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take effect July 1, 1885, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives,*

The bill was read a first and second time by its title and referred to the committee on State affairs.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 22, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following entitled bill:  
House bill No. 305 (File No. 322), entitled

A bill to amend act No. 227 of the laws of 1883, entitled "An act to revise and amend the charter of the city of Saginaw, and to repeal act No. 496 of the laws of 1867, entitled an act to amend an act entitled an act to revise and amend the charter of the city of Saginaw," approved February 5, 1859, approved March 16, 1883,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was read a first and second time by its title, and

On motion of Mr. Hubbell,

It was referred to the committee on cities and villages.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 23, 1885.* }

*To the President of the Senate:*

SIR,—I am instructed by the House to return to the Senate the following concurrent resolution:

*Resolved by the Senate* (the House concurring), That the Secretary of State be and he is hereby authorized and directed to supply the Secretary of the Senate and the Clerk of the House, upon their order, a sufficient number of the copies of the Legislative Manual for 1885 to supply one copy each to all clerks of committees, janitors, messengers, and other employes who have not already been supplied,

In the passage of which the House has concurred.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The message was laid on the table.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 22, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following entitled bill:

House bill No. 616 (File No. 273), entitled

A bill to amend section 5 of act 198, of the session laws of 1877, entitled “An act to provide for a tax upon dogs and to create a fund for the payment of certain damages for sheep killed or wounded by them in certain cases,” approved May 23, 1877, as amended by act No. 283 of the session laws of 1881, approved June 11, 1881, being compiler’s section No. 2127 of Howell’s Annotated Statutes;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committees on agricultural interests.

Mr. Edwards moved to reconsider the vote by which

House bill No. 305 (File No. 322), entitled

A bill to amend act. No. 227 of the laws of 1883, entitled “An act to revise and amend the charter of the city of Saginaw, and to repeal act No. 496 of the laws of 1867, entitled an act to amend an act entitled an act to revise and amend the charter of the city of Saginaw,” approved February 5, 1859, approved March 16, 1883,

Was referred to the committee on cities and villages;

Which motion prevailed.

Mr. Hubbell then withdrew his motion to refer the bill to said committee. On motion of Mr. Davenport,

The rules were suspended and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:



## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hertzler,	Mr. Moon,
Carpenter,	Francis,	Hueston,	Phelps,
Carveth,	Greiner,	Kempf,	Pulver,
Cline,	Hawley,	Manwaring,	Sherwood,
Curtiss,	Heisterman,	Monroe,	Smith, S. W.,
Davenport,	Henry,		22

## NAYS.

0

Title agreed to.

On motion of Mr. Davenport,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Henry moved that the committee of the whole be discharged from the further consideration of

Senate bill No. 270 (File No. 212), entitled

A bill to incorporate the village of Oscoda,

Which motion prevailed.

On motion of Mr. Henry,

The bill was placed on the order of third reading.

Mr. Carpenter moved to take from the table

Senate bill No. 227 (File No. 183), entitled

A bill making an appropriation for the State Industrial Home for Girls for the years 1885 and 1886;

Which motion prevailed.

On motion of Mr. Carpenter,

The bill was re-referred to the committee of the whole, taking its place with the appropriations bills.

Mr. Monroe moved that

Senate bill No. 375 (File No. 71), entitled

A bill to alter and amend sections 1, 2, 3, 4, 6, 18, 33, 34, 46, 66, 67, 69, and 72 of act No. 135, session laws of 1857, entitled "An act to authorize the business of banking and acts amendatory and supplemental thereto," being sections 3135, 3136, 3137, 3138, 3140, 3152, 3167, and 3168, 3180, 3201, 3202, 3204, and 3207 of the General Statutes of Michigan, compiled by Andrew Howell,

Be made a special order for Thursday, April 30, at 2 o'clock P. M.,

Which motion prevailed.

Mr. Carveth moved that

Senate bill No. 332 (File No. 189), entitled

A bill to regulate the passenger and freight tariff, to provide for a uniform classification of freights and maximum freight rates, and to prevent unjust discrimination in charges of tolls or compensation for the transportation of passengers or freights upon the railroads in this State,

Be made a special order for Wednesday, April 29, at 2 o'clock P. M.

Which motion prevailed.

Mr. Hawley moved that

Senate bill No. 23 (File No. 176), entitled

A bill to amend sections 3, 4, and 5 of chapter 1 of an act entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," being act No. 326 of the Session Laws of 1883,

approved June 7, 1883, and to add a new section to said chapter to be known as section 6,

Be made a special order for Tuesday, April 28, at 2 o'clock P. M.

Mr. Edwards moved to amend by making the same a special order for Friday, May 1, at 2 o'clock P. M.

Mr. Hawley called for the yeas and nays.

The amendment was not agreed to, by yeas and nays, as follows:

#### YEAS.

Mr. Carveth,	Mr. Heisterman,	Mr. Phelps,	Mr. Pulver,	
Edwards,	Hubbell,			6

#### NAYS.

Mr. Carpenter,	Mr. Greiner,	Mr. Kempf,	Mr. Moon,	
Cline,	Hawley,	Manwaring,	Sherwood,	
Francis,	Hueston,	Monroe,		11

The original motion then prevailed, and the bill was made the special order for Tuesday, April 28, at 2 o'clock P. M.

#### THIRD READING OF BILLS.

Mr. Carpenter moved that the order of third reading of bills be passed for the day,

Which motion prevailed.

#### GENERAL ORDER.

On motion of Mr. Hubbell,

The Senate went into committee of the whole, on the general order,  
Mr. Moon in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following:  
Senate bill No. 359 (File No. 162), entitled

A bill making an appropriation of \$20,000 as a working capital for the Northern Michigan Asylum for insane;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

The committee of the whole have also had under consideration the following:

Senate bill No. 139 (File No. 175,) entitled

A bill to establish a State house of correction and branch of the State Prison in the Upper Peninsula, and to provide for the location and erection thereof, and making an appropriation therefor,

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the Senate and ask leave to sit again.

J. W. MOON, *Chairman.*

Report accepted and committee discharged.

The first named bill was placed on the order of third reading of bills.

On motion of Mr. Moon,

The committee was granted leave to sit again.

On motion of Mr. Pulver,

The Senate took a recess until 2 o'clock P. M.

## AFTERNOON SESSION.

2 o'clock P. M.

The Senate met and was called to order by the President.

Roll called: a quorum present.

By unanimous consent the following report was received:

By the committee on insurance:

The committee on insurance, to whom was referred

Senate bill No. 141, entitled

A bill to provide for bringing suits against coöperative and mutual insurance societies and associations organized under the laws of other States or territories and doing business in this State,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate with the accompanying substitute therefor, having the same title, recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject.

EDWARD E. EDWARDS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Edwards,

The Senate concurred in the adoption of the substitute reported for the bill by the committee.

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

The President announced that the hour for the special order had arrived, being the consideration of

Senate bill No. 18 (File No. 83), entitled

A bill to secure the minority of stockholders, in corporations organized under general laws, the power of electing a representative membership in boards of directors.

## SPECIAL ORDER.

On motion of Mr. Hawley,

The Senate went into committee of the whole on the special order.

Mr. Hueston in the chair.

After some time spent therein, the committee rose, and through their chairman made the following report:

The committee of the whole have had under consideration the following:

Senate bill No. 18 (File No. 83), entitled

A bill to secure the minority of stockholders, in corporations organized under general laws, the power of electing a representative membership in boards of directors;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend its passage.

JAMES HUESTON, *Chairman.*

Report accepted and committee discharged.

The bill was placed on the order of third reading of bills.

## REPORTS OF STANDING COMMITTEES.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment, to whom was referred

Senate bill No. 15 (file No. 17), entitled

A bill to amend sections 1 and 3 of chapter 5 of an act entitled "An act to

revise and consolidate the laws relating to the establishment, opening, improvement, and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within this State," being act No. 243, public acts of 1881, approved June 8, 1881;

Also,

Senate bill No. 188 (File No. 108) entitled

A bill to amend section 703 of the compiled laws of 1871, as amended by act No. 53 of the session laws of 1873, being section 741 of Howell's Annotated Statutes, relative to the duties of township clerks;

Also,

Senate joint resolution No. 5 (File No. 16), entitled

Joint resolution declaring the necessity of having one or more soldiers' homes established in this State for the protection of Union soldiers and marines who have become disabled since their discharge from service, and to provide a joint committee to investigate and report as to feasibility of the Dearborn arsenal property, etc.

EDW. E. EDWARDS, *Acting Chairman.*

Report accepted.

Mr. Henry moved that the Senate take up the order of third reading of bills; Which motion did not prevail.

Mr. Edwards moved that the Senate go into committee of the whole on the general order.

Mr. Hubbell moved that the Senate do now adjourn.

Mr. Manwaring called for the yeas and nays.

The motion then prevailed, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Greiner,	Mr. Hueston,	Mr. Pulver,
Curtiss,	Hawley,	Monroe,	Sherwood,
Davenport,	Heisterman,	Moon,	Spencer,
Francis,	Hubbell,	Pennell,	Stephenson, 16

#### NAYS.

Mr. Carpenter,	Mr. Cline,	Mr. Henry,	Mr. Phelps,
Carveth,	Edwards,	Manwaring,	Smith, S.W., 8

*Lansing, Friday, April 24, 1885.*

The Senate met and was called to order by the President at 10 o'clock A. M.

Prayer by the Rev. Mr. Franklin.

Roll called: quorum present.

On motion of Mr. Hawley,

The rules were suspended, and

House bill No. 18 (File No. 83), entitled

A bill to secure the minority of stockholders, in corporations organized under general laws, the power of electing a representative membership in boards of directors,

Was placed on its immediate passage.

The bill was read a third time, and pending the taking of the vote thereon,

Mr. Pulver moved the previous question ;

Which was not demanded by a majority of the Senators.

After considerable discussion,

Mr. Sherwood moved the previous question ;

Mr. Hubbell moved that the Senate do now adjourn.

Mr. Hubbell called for the yeas and nays.

Mr. Hubbell moved that when the Senate adjourns to-day it stand adjourned until to-morrow morning at 10 o'clock.

The President decided the motion out of order.

Mr. Hubbell appealed from the decision of the chair.

The President announced the question to be, shall the decision of the chair be sustained.

The decision of the chair was sustained, by yeas and nays as follows ;

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hertzler,	Mr. Pulver,	
Carpenter,	Francis,	Hueston,	Sherwood,	
Carveth,	Greiner,	Kempf,	Smith, G. A.,	
Cline,	Hawley,	Monroe,	Smith, S. W.,	
Curtiss,	Heisterman,	Moon,	Spencer,	
Davenport,	Henry,	Phelps,		23

#### NAYS.

Mr. Hubbell,		1
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The motion to adjourn then did not prevail, by yeas and nays, as follows:

#### YEAS.

Mr. Hubbell,	Mr. Stephenson,	2
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#### NAYS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Phelps,	
Brown,	Edwards,	Kempf,	Pulver,	
Carpenter,	Francis,	Manwaring,	Sherwood,	
Carveth,	Greiner,	Monroe,	Smith, G. A.,	
Cline,	Hawley,	Moon,	Smith, S. W.,	
Curtiss,	Heisterman,	Pennell,	Spencer,	
Davenport,	Henry,			26

The President decided that the question now was whether a majority of the Senators would demand the previous question.

Mr. Hubbell moved that the Senate do now adjourn until 2 o'clock.

Which motion the President decided out of order, as being a mere motion to take a recess.

Mr. Hubbell appealed from the decision of the chair.

Mr. Hubbell called for the yeas and nays.

The question being shall the decision of the chair be sustained,

The same was sustained, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hertzler,	Mr. Phelps,
Brown,	Edwards,	Hueston,	Pulver,
Carpenter,	Francis,	Kempf,	Sherwood,
Carveth,	Greiner,	Manwaring,	Smith, G. A.,

Mr. Cline, Curtiss, Davenport,	Mr. Hawley, Heisterman, Henry,	Mr. Monroe, Moon, Pennell,	Mr. Smith, S. W., Spencer,	27
NAYS.				0

Mr. Hubbell moved that the Senate do now adjourn.

Mr. Hubbell called for the yeas and nays.

The motion to adjourn then did not prevail by yeas and nays as follows:

## YEAS.

Mr. Hubbell,	Mr. Stephenson,	3
NAYS.		

Mr. Austin, Brown, Carpenter, Carveth, Curtiss, Davenport,	Mr. Davis, Edwards, Francis, Greiner, Hawley, Heisterman,	Mr. Henry, Hueston, Kempf, Monroe, Moon, Pennell,	Mr. Phelps, Pulver, Sherwood, Smith, G. A., Smith, S. W., Spencer,	24
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The previous question was then demanded by yeas and nays as follows:

## YEAS.

Mr. Carveth, Cline, Curtiss, Davenport, Davis,	Mr. Francis, Greiner, Hawley, Heisterman, Henry,	Mr. Hueston, Kempf, Monroe, Moon, Pennell,	Mr. Phelps, Pulver, Sherwood, Smith, S. W., Spencer,	20
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## NAYS.

Mr. Austin,	Mr. Carpenter,	Mr. Edwards,	Mr. Stephenson,	4
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The question being, shall the main question be now put,

The same was ordered.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Carveth, Cline, Curtiss, Davenport, Davis,	Mr. Edwards, Francis, Greiner, Hawley, Heisterman,	Mr. Henry, Hueston, Kempf, Moon, Pennell,	Mr. Phelps, Pulver, Sherwood, Smith, S. W., Spencer,	20
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## NAYS.

Mr. Austin, Belknap, Brown,	Mr. Hertzler, Hubbell,	Mr. Manwaring, Monroe,	Mr. Smith, G. A., Stephenson,	9
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Title agreed to.

## PETITIONS.

No. 673. By Mr. Pennell: Petition of C. M. Drake, and 40 others, for the passage of the pharmacy bill;

Referred to the committee on public health.

No. 674. By Mr. Woodruff: Petition of A. H. Evans, and 50 others, of Gratiot county, for the passage of House bill (file No. 141) relative to the improvement of Maple River, in Gratiot and Clinton counties, in reclamation of the lands lying along its banks.

On motion of Mr. Woodruff,

The petition was ordered printed in the Journal.

The following is the petition :

*To the Honorable Legislature of the State of Michigan :*

Your petitioners humbly ask that an appropriation be made for clearing out and improving Maple River, where it flows through the townships of Elba, Washington, and Fulton, in Gratiot county. In consequence of the obstructions in said river, a large area of land on both sides of the same is overflowed a considerable portion of the year, thus proving a great hardship to large numbers of actual settlers whose possessions are inundated, and the health of the entire country round about greatly injured thereby—facts which will be more fully and clearly set forth to your honorable body at the proper time. And we will ever pray.

No. 675 By Mr. Woodruff: Petitions of Wilbur Nelson, Nathan Church, James W. Howe, and 364 others, of Gratiot and Clinton counties, same object ;

The two petitions were referred to the committee on public lands.

#### QUESTION OF PRIVILEGE.

Mr. Monroe asked to have the Journal of Wednesday, April 22, corrected as follows :

A petition of C. S. Gregory and 175 others, of Washtenaw county, is entered as a remonstrance against the passage of

House bill (File No. 83), entitled

A bill to secure to the minority of stockholders in corporations organized under the general laws.

Whereas said petition was for the passage of said bill.

The President directed said error to be corrected.

Mr. Pennell asked and obtained leave of absence for himself until Monday, April 27.

Mr. Manwaring asked and obtained leave of absence for himself after to-day until Wednesday, April 29.

#### REPORTS OF STANDING COMMITTEES.

By the committee on State affairs :

The committee on State affairs, to whom was referred

House bill No. 150 (File No. 316), entitled

A bill to protect all citizens in their civil rights,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs :

The committee on State affairs, to whom was referred

House bill No. 183 (File No. 73), entitled

A bill to amend and revise the charter of the city of Port Huron,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the

bill when so amended do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Phelps,

The Senate concurred in the amendments made to the bill by the committee.

On motion of Mr. Cline,

The bill was laid on the table.

By the committee on State library:

The committee on State library, to whom was referred

Senate bill No. 129, entitled

A bill to amend sections 1, 2, and 7 of act No. 169 of the session laws of 1881, being sections 298, 299, and 304 of Howell's Annotated Statutes of Michigan, entitled "An act to revise and consolidate the several acts relating to the care and management of the State Library,"

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

T. D. HAWLEY, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. S. W. Smith,

The bill was ordered printed, referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor:

Concurrent resolution relative to the St. Clair Flats being made a public preserve.

EDW'D E. EDWARDS, *Acting Chairman*.

Report accepted.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 194 (File No. 268), entitled

A bill to establish a board of building inspectors in and for the city of Detroit, and to define its powers and duties,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman*.

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 17 (File No. 134), entitled

A bill to amend section 8 of an act entitled "An act to establish a board of police and fire commissioners in the city of Grand Rapids, and to prescribe their powers and duties," approved May 24, 1881,

Respectfully report that they have had the same under consideration, and



have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 388 (File No. 246), entitled

A bill to provide for the retirement of aged and disabled firemen and the payment of pensions to the wives and children of deceased firemen killed in the service of the city of Detroit,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without recommendation, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Francis,

The bill was referred to the committee of the whole and placed on the general order.

By the committee on education and public schools:

The committee on education and public schools, to whom was referred

House bill No. 584 (File No. 298), entitled

A bill to amend section 1, act 369, of session laws of 1875, entitled "An act to organize the union school district of the village of South Lyon," relative to the boundaries thereof,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on religious and benevolent societies:

The committee on religious and benevolent societies, to whom was referred

House bill No. 99 (File No. 82), entitled

A bill to amend section 3 of chapter 177 of the general statutes of the State of Michigan, compiled and annotated by Andrew Howell, being compiler's section 4719, relative to the organization of Young Men's Christian Associations,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

STEPHEN F. BROWN, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

## MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 24, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following entitled bills:

1. House bill No. 583, entitled

A bill to revise the charter of the city of East Saginaw, being amendatory of an act entitled "An act to incorporate the city of East Saginaw," approved February 14, 1859, as amended by the several acts amendatory thereof;

2. House bill No. 669, entitled

A bill for the relief of Francis Marsac;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The second named bill was read a first and second time by its title, and referred to the committee on State affairs.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 24, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to return to the Senate the following entitled bill:

Senate bill 282 (File No. 188), entitled

A bill to amend the charter of the city of Ann Arbor,

And to inform the Senate that the House has amended the same as follows:

1. Amend section 1 by striking out all of lines six and seven and the word "also" at the end of line 5;

2. Amend sub section 22 of section 2, title 4, by striking out the word "and" in line 85;

3. Amend sub section 22 by adding thereto the following: "And to annually levy and collect as other taxes are levied and collected, a sum not to exceed five thousand dollars to pay for the supply of water so contracted for and furnished;"

4. Amend by striking out all of sections 2 and 14 of title 5;

In the passage of which as thus amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

Mr. Kempf moved that the Senate concur in the amendments made to the bill by the House;

Which motion prevailed by yeas and nays as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hertzler,	Mr. Phelps,
Belknap,	Davis,	Hueston,	Sherwood,
Brown,	Edwards,	Kempf,	Smith, G. A.
Carpenter,	Francis,	Manwaring,	Spencer,
Carveth,	Greiner,	Monroe,	Stephenson,
Oline,	Heisterman,	Moon,	Woodruff,
Curtiss,			

25

0

## NAYS.

The bill was referred to the committee on engrossment and enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 23, 1885.* }

*To the President of the Senate :*

SIR—I am instructed by the House to return to the Senate the following entitled bill:

Senate bill No. 326 (File No. 92), entitled

A bill supplementary to an act entitled "An act to revise the laws providing for the incorporation of railroad companies, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State," approved May 1, 1873;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The bill was referred to the committee on engrossment and enrollment for enrollment.

Mr. Curtiss asked and obtained leave of absence for himself until Tuesday P. M., April 28.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 23, 1885.* }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following entitled bills:

1. House bill No. 87 (File No. 108), entitled

A bill to provide for the prevention of the introduction and spread of cholera and other dangerous communicable diseases;

2. House bill No. 475 (File No. 291), entitled

A bill making an appropriation for frescoing and decorating the walls and corridors of the State Capitol;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committees on public health and appropriations and finance jointly.

The second named bill was read a first and second time by its title, and referred to the committees on State capitol and public grounds and appropriations and finance jointly.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 24, 1885. }

*To the President of the Senate:*

SIR—I am instructed to inform the Senate that Messrs. Northwood, Howell, and Ford have been appointed to act, on the part of the House, as members of the joint committee provided for by

Senate joint resolution No. 5 (File No. 16), entitled

Joint resolution declaring the necessity of having one or more soldiers' homes established in this State for the protection of Union soldiers and marines who have become disabled since their discharge from service, and to provide a joint committee to investigate and report as to feasibility of the Dearborn arsenal property, etc.

Very respectfully,

DANIEL L. CROSSMAN,  
*Clerk of the House of Representatives.*

The message was laid on the table.

Mr. Woodruff asked and obtained leave of absence for himself after to-day until Tuesday, April 28.

#### THIRD READING OF BILLS.

Senate bill No. 169 (File No. 155), entitled

A bill to amend sections 2 and 7 of act No. 169 of the public acts of 1881, to increase the salary of the State Librarian;

On motion of Mr. S. W. Smith,

The bill was laid on the table.

Senate bill No. 107 (File No. 139), entitled

A bill making an appropriation for furnishing and providing apparatus for the Northern Asylum for the Insane at Traverse City, Michigan,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Francis,	Kempf,	Smith, G. A.,
Brown,	Hawley,	Manwaring,	Smith, S. W.,
Carpenter,	Heisterman,	Monroe,	Spencer,
Curtiss,	Hertzler,	Moon,	Stephenson,
Davenport,	Hubbell,	Phelps,	Woodruff,
Davis,			

25

#### NAYS.

0

Title agreed to.

On motion of Mr. Kempf,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Hubbell gave notice that he should move to reconsider the vote by which the Senate passed

House bill No. 18 (File No. 83), entitled

A bill to secure the minority of stockholders in corporations organized

under general laws, the power of electing a representative membership in boards of directors.

On motion of Mr. Sherwood,

The Senate took a recess until 2 o'clock P. M.

#### AFTERNOON SESSION.

*2 o'clock P. M.*

The Senate met and was called to order by the President.

Roll called: a quorum present.

The Senate resumed the order of

#### THIRD READING OF BILLS.

Senate bill No. 270 (File No. 212), entitled

A bill to incorporate the village of Oscoda.

On motion of Mr. Francis,

The bill was laid on the table.

Senate bill No. 359 (File No. 162), entitled

A bill making an appropriation of twenty thousand dollars as a working capital for the Northern Michigan Asylum for the Insane,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Anstin,	Mr. Davenport,	Mr. Hertzler,	Mr. Phelps,
Belknap,	Davis,	Hubbell,	Sherwood,
Brown,	Edwards,	Hueston,	Smith, G.A.,
Carpenter,	Francis,	Kempf,	Smith, S. W.,
Carveth,	Greiner,	Manwaring,	Spencer,
Oline,	Hawley,	Monroe,	Stephenson,
Curtiss,	Heisterman,	Moon,	Woodruff,

28

#### NAYS.

0

The question being on agreeing to the title,

Mr. Kempf moved to amend the title so as to read as follows:

A bill making an appropriation of \$15,000 as a working capital for the Northern Michigan Asylum for the Insane;

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Kempf,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

#### GENERAL ORDER.

On motion of Mr. Hubbell,

The Senate went into committee of the whole on the general order,

Mr. Moon in the chair.

After some time spent therein, the committee rose, and, through their chairman, made the following report:

## I.

The committee of the whole have had under consideration the following:

House bill No. 312 (File No. 314), entitled

A bill making appropriations for the current expenses and for buildings, etc., for the Reform School, for the years 1885 and 1886;

Senate bill No. 136 (File No. 180), entitled

A bill making an appropriation for the purchase of books for the State Library and for other purposes;

Senate bill No. 263 (File No. 185), entitled

A bill making appropriations for the current expenses and for buildings, etc., for the Michigan School for the Blind for the years 1885 and 1886;

House bill No. 27 (File No. 109), entitled

A bill making an appropriation for the support of the State Public School, and for making improvements at that institution,

House bill No. 291 (File No. 204), entitled

A bill to connect the State House of Correction and Reformatory and the Asylum for Insane Criminals at Ionia, with the Ionia city water-works;

House bill No. 283 (File No. 238), entitled

A bill making an appropriation for building a kitchen containing lodging rooms for employes, and for building an infirmary and heating the same, at the Michigan Asylum for the Insane,

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

## II.

The committee of the whole have also had under consideration the following:

Senate bill No. 139 (File No. 175), entitled

A bill to establish a State House of Correction and a branch of the State Prison in the Upper Peninsula, and to provide for the location and erection thereof, and making an appropriation therefor;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

## III.

The committee of the whole have also had under consideration the following:

Senate bill No. 79 (File No. 177), entitled

A bill making appropriations for the current expenses, and for buildings, etc., for the Reform School for the years eighteen hundred and eighty-five and eighteen hundred and eighty-six;

Have directed their chairman to report the same back to the Senate, with the recommendation that the bill be laid on the table.

J. W. MOON, *Chairman*.

Report accepted and committee discharged.

The first six named bills were placed on the order of third reading of bills.

On motion of Mr. Moon,

The Senate concurred in the amendments made by the committee to the second named bill, and the same was placed on the order of third reading of bills.

On motion of Mr. Moon,

The Senate concurred in the action of the committee of the whole regarding the last named bill, and the same was laid on the table.

By unanimous consent the Senate returned to the order of

### THIRD READING OF BILLS.

House bill No. 313 (File No. 314), entitled

A bill making appropriations for the current expenses and for buildings, etc., for the Reform School, for the years 1885 and 1886,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Edwards,	Kempf,	Smith, G. A.,
Brown,	Greiner,	Manwaring,	Smith, S. W.,
Carpenter,	Hawley,	Monroe,	Spencer,
Carveth,	Heisterman,	Moon,	Stephenson,
Cline,	Hertzler,	Phelps,	Woodruff,
Curtiss,	Hubbell,		

26

#### NAYS.

0

Title agreed to.

On motion of Mr. Spencer,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 136 (File No. 180), entitled

A bill making an appropriation for the purchase of books for the State library and for other purposes,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Hubbell,	Mr. Sherwood,
Belknap,	Edwards,	Hueston,	Smith, G. A.,
Brown,	Francis,	Kempf,	Smith, S. W.,
Carpenter,	Greiner,	Manwaring,	Spencer,
Carveth,	Hawley,	Monroe,	Stephenson,
Cline,	Heisterman,	Moon,	Woodruff,
Curtiss,	Hertzler,	Phelps,	

27

#### NAYS.

0

Title agreed to.

On motion of Mr. Hawley,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 263 (File No. 185), entitled

A bill making appropriations for the current expenses and for buildings, etc., for the Michigan School for the Blind for the years 1885 and 1886,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hubbell,	Mr. Sherwood,
Belknap,	Davis,	Hueston,	Smith, G. A.,

Mr. Brown, Carpenter, Carveth, Cline, Curtiss,	Mr. Edwards, Francis, Hawley, Heisterman, Hertzler,	Mr. Kempf, Manwaring, Monroe, Moon, Phelps,	Mr. Smith, S. W., Spencer, Stephenson, Woodruff,	27
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NAYS.

Mr. Greiner, 1

Title agreed to.

On motion of Mr. Stephenson,

By a vote of two-thirds of all the Senators elect, the joint resolution was ordered to take immediate effect.

House bill No. 27 (File No. 109), entitled

A bill making an appropriation for the support of the State Public School, and for making improvements at that institution;

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin, Belknap, Brown, Carpenter, Carveth, Cline, Curtiss,	Mr. Davenport, Davis, Edwards, Francis, Greiner, Hawley, Heisterman,	Mr. Hertzler, Hubbell, Hueston, Kempf, Manwaring, Monroe, Moon,	Mr. Phelps, Sherwood, Smith, G. A., Smith, S. W., Spencer, Stephenson, Woodruff,	28
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NAYS.

0

Title agreed to.

On motion of Mr. Belknap,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

House bill No. 291 (File No. 204), entitled

A bill to connect the State house of correction and reformatory and the asylum for insane criminals at Ionia with the Ionia city water-works,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin, Belknap, Brown, Carpenter, Cline, Davenport, Davis,	Mr. Edwards, Francis, Greiner, Hawley, Heisterman, Hertzler,	Mr. Hubbell, Hueston, Kempf, Manwaring, Monroe, Moon,	Mr. Phelps, Sherwood, Smith, S. W., Spencer, Stephenson, Woodruff,	25
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NAYS.

0

Title agreed to.

On motion of Mr. Belknap,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

House bill No. 283 (File No. 238), entitled

A bill making an appropriation for building a kitchen containing lodging



rooms for employés, and for building an infirmary and heating the same at the Michigan Asylum for the Insane,

Was read a third time and passed, a majority of all the Senators elect voting therefor by yeas and nays as follows:

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hertzler,	Mr. Phelps,
Belknap,	Davis,	Hubbell,	Sherwood,
Brown,	Edwards,	Hueston,	Smith, G. A.,
Carpenter,	Francis,	Kempf,	Smith, S. W.,
Carveth,	Greiner,	Manwaring,	Spencer,
Cline,	Hawley,	Monroe,	Stephenson,
Curtiss,	Heisterman,	Moon,	Woodruff,

28

## NAYS.

0

Title agreed to.

On motion of Mr. Belknap,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Senate bill No. 139 (File No. 175), entitled

A bill to establish a State House of Correction and a branch of the State Prison in the Upper Peninsula, and to provide for the location and erection thereof, and making an appropriation therefor,

Was read a third time, and pending the taking of the vote thereon,

By unanimous consent, Mr. Stephenson moved to amend the bill as follows:

By inserting in section 4, line 5, after the word "before" the following: "the 16th day of September, 1885;"

Which motion prevailed and the bill was so amended.

By unanimous consent, Mr. Belknap moved to further amend the bill as follows:

By striking out in section 1, lines 5 and 6, the words "eighty-five," "eighty-six," and "eighty-seven," and inserting in lieu thereof the words "eighty-six," "eighty-seven," and "eighty-eight;"

Which motion prevailed, and the bill was so amended.

The bill as amended was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Sherwood,
Belknap,	Francis,	Kempf,	Smith, G. A.,
Brown,	Hawley,	Manwaring,	Smith, S. W.,
Carpenter,	Heisterman,	Monroe,	Spencer,
Carveth,	Hertzler,	Moon,	Stephenson,
Davenport,	Hubbell,	Phelps,	Woodruff,
Davis,			

25

## NAYS.

Mr. Cline,	Mr. Curtiss,	Mr. Greiner,	3
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Title agreed to.

On motion of Mr. Stephenson,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Spencer moved that the committee of the whole be discharged from the further consideration of

Senate bill No. 171 (File No. 195), entitled  
A bill making an appropriation for the erection of two infirmary buildings  
at the Eastern Michigan Asylum at Pontiac;  
Which motion prevailed.

On motion of Mr. Spencer,

The bill was placed on its immediate passage.

The bill was read a third time, and pending the taking of the vote thereon,  
By unanimous consent, Mr. S. W. Smith moved to amend the bill as follows:

1. By striking out of section 1, line 2, the word "fifteen," and inserting in lieu thereof the word "thirty;"
2. By striking out in same section, line 3, the word "one," and inserting in lieu thereof the word "two;"
3. By striking out in section 2, line 2, the word "fifteen," and inserting in lieu thereof the word "thirty;"

Which motion prevailed and the bill was so amended.

The bill as amended was then passed, a majority of all the Senators elect voting therefor by yeas and nays as follows:

#### YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Heisterman,	Mr. Moon,
Belknap,	Davis,	Hertzler,	Phelps,
Brown,	Edwards,	Hubbell,	Sherwood,
Carpenter,	Francis,	Hueston,	Smith, S. W.,
Carveth,	Greiner,	Kempf,	Spencer,
Cline,	Hawley,	Monroe,	Stephenson,
Curtiss,			25

#### NAYS.

0

Title agreed to.

On motion of Mr. S. W. Smith,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Hubbell moved that the committee of the whole be discharged from the further consideration of

House bill No. 132 (File No. 354), entitled

A bill to amend section 5 of act No. 97 of the session laws of 1879, as amended, being section 6539 of Howell's Annotated Statutes of Michigan of 1882, relative to filling vacancies in the superior court of Detroit;

Which motion prevailed.

On motion of Mr. Hubbell,

The bill was put on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davenport,	Hertzler,	Mr. Phelps,
Belknap,	Davis,	Hubbell,	Sherwood,
Brown,	Edwards,	Hueston,	Smith, G. A.,
Carpenter,	Francis,	Kempf,	Smith, S. W.,
Carveth,	Greiner,	Monroe,	Spencer,
Cline,	Hawley,	Moon,	Stephenson,
Curtiss,	Heisterman,		26

## NAYS.

0

The question being on agreeing to the title,

Mr. Hubbell moved to amend the title so as to read as follows:

A bill to amend sections 5 and 21 of act No. 97 of the session laws of 1879, as amended, being sections 6539 and 6555 of Howell's Annotated Statutes of Michigan of 1882, relative to filling vacancies in the superior court of Detroit;

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Hubbell,

By a vote of two-thirds of all the Senators elect the bill was ordered to take immediate effect.

Mr. S. W. Smith moved that the committee of the whole be discharged from the further consideration of

House bill No. 99 (File No. 82) entitled

A bill to amend section 3 of chapter 177 of the General Statutes of the State of Michigan compiled and annotated by Andrew Howell, being compiler's section 4719, relative to the organization of Young Men's Christian Associations;

Which motion prevailed.

On motion of Mr. S. W. Smith,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,	Mr. Curtiss,	Mr. Heisterman,	Mr. Phelps,
Belknap,	Davenport,	Hertzler,	Sherwood,
Brown,	Davis,	Hubbell,	Smith, G. A.,
Carpenter,	Edwards,	Kempf,	Smith, S. W.,
Carveth,	Francis,	Monroe,	Spencer,
Cline,	Greiner,	Moon,	Stephenson, 24

## NAYS.

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The question being on agreeing to the title,

Mr. S. W. Smith moved to amend the title so as to read as follows:

A bill to amend section 3 of chapter 108 of the compiled laws of 1871, being section 3 of chapter 177 of Howell's Annotated Statutes, being an act to authorize the organization of Young Men's Christian Associations;

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. S. W. Smith,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

On motion of Mr. Cline,

The Senate adjourned.

*Lansing, Saturday, April 25, 1885.*

The Senate met and was called to order by the President at 10 o'clock A. M.

Prayer by the Rev. Mr. Ford.

Roll called: a quorum present.

Absent without leave: Senators Henry, Kempf, Pulver and G. A. Smith.

On motion of Mr. Hertzler,

Leave of absence was granted to Mr. Kempf for the day.

On motion of Mr. Sherwood,

Leave of absence was granted to Mr. Pulver for the day.

On motion of Mr. Carveth,

Leave of absence was granted to Mr. Henry for the day.

On motion of Mr. Carpenter,

Leave of absence was granted to Mr. G. A. Smith for the day.

#### REPORTS OF STANDING COMMITTEES.

By the committee on railroads:

The committee on railroads, to whom was referred

Senate bill No. 226 (File No. 62), entitled

A bill to amend sections 13, 15, and 17 of Article 4 of act No. 198 of the session laws of 1873, entitled "An act to revise the laws providing for the incorporation of railroad companies, and to regulate the running and management, and to fix the duties and liabilities of all railroad and other corporations owning or operating any railroad in this State, and the several acts amendatory thereof," and to add two new sections thereto to stand as sections 22 and 23, for the prevention of trespassing on railroad tracts and providing penalties for violations of subdivision fifth, section 9, of Article 2 of said act No. 198, session laws of 1871,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the said amendments be printed in the Journal, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

CHAS. AUSTIN, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Austin,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

On motion of Mr. Austin,

The amendments were ordered printed in the Journal.

The following are the amendments:

Amend section 15 by striking out after "roads," in line three, to and including "railroads," in line five, and inserting in lieu thereof, as follows:

"To be constructed of posts, boards, and wire in combination as follows: The posts shall be of cedar or oak, not less than seven feet in length and six inches in diameter, to be set not less than two and one-half feet in the ground, at a distance apart of not more than eight feet three inches from center to cen-

ter. At a height of sixteen inches from the ground a pine fence board six inches in width, and seven inches above such first pine board a second of the same width, both boards to be firmly nailed to the posts with two eight-penny fence nails at each post. At the height of five inches from the ground a barbed fence wire, and at ten inches from the ground a second barbed wire. Forty-four inches from the ground, or nine inches above the second pine board, a third barbed wire, and fifty-three inches from the ground, or nine inches above the third barbed wire, a flat Brinkerhoff strip, or some other metallic strand of similar pattern. Such wires and strip to be properly strained, and the posts sufficiently braced wherever necessary to prevent the wires from becoming loose or sagging, and the wires to be securely fastened to the posts with sufficient staples. All inequalities of the ground under the fence to be surfaced and leveled so that no animals can pass under the lower strand: *Provided*, Any railroad company that has already erected fences along the line of its road shall not be required to construct the fence herein provided for, unless complaint under oath as to the insufficiency of the fence is made to the Commissioner of Railroads."

Sec. 23, line 8, after "performed" insert

*Provided*, That all culverts or other openings in or under the road-bed of any such railroad corporation, made for the flow of water, shall be so constructed as not to interfere with the proper and thorough drainage of the land above such railroad.

## ARTICLE II.

SEC. 45. The rated capacity of all freight cars used by railroad companies doing business in this State shall be plainly marked in a conspicuous place on the outside of such cars, and in the absence of agreement to the contrary between shippers and the officers or agents of such railroad companies, a twenty-eight-foot car loaded with ten tons of freight by weight, or in case of light and bulky articles, when loaded to its full inside capacity, shall be considered a car-load within the intent and meaning of the seventh subdivision of section 9 of this Article, but in case cars of larger capacity than twenty-eight feet shall be furnished to any shipper, the company may charge at the same rate per ton for such increased capacity as rated: *Provided*, That excess in weight over such rated capacity, not exceeding ten per cent thereof, shall be carried at the proportionate part of the car-load rate, and all excess over and above such ten per cent may be charged for at once and a half the rate at which the freight loaded on such car has been agreed to be carried.

By the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

The several petitions and remonstrances for and against the passage of the minority bill, being House file No. 83,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate and recommend that they do pass to the archives of the Senate, and ask to be discharged from the further consideration of the subject.

C. J. MONROE, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Monroe,

The petitions and remonstrances were laid on the table.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 269 (File No. 299), entitled

A bill to amend section 10 of act 238 of the session laws of 1879, being an act entitled An act to protect logs, lumber, and timber, while floating upon the waters in this State, or lying upon the banks or shores thereof, being compiler's section 2058, Howell's Annotated Statutes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 488 (File No. 265), entitled

A bill to prevent the sale, or otherwise disposing of obscene, immoral, and indecent books, pamphlets, papers, prints, pictures, writings, and other objectionable news,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred

House bill No. 678 (File No. 234), entitled

A bill to prevent the sale and use of unwholesome milk and milk products;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments thereto, recommending that the amendments be concurred in, and that the bill, when so amended do pass, and ask to be discharged from the further consideration of the subject.

FITCH PHELPS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Phelps,

The Senate concurred in the amendments made to the bill by the committee.

The bill was then referred to the committee of the whole, and placed on the general order.

By the committee on cities and villages and roads and bridges jointly:

The committee on cities and villages and roads and bridges jointly to whom was referred

House bill No. 111, entitled

A bill to restrict the powers of the commissioner of highways of the township of Republic, in the county of Marquette, and to authorize the township board of said township to provide for maintaining the streets, sidewalks, crosswalks, and alleys now and hereafter built in the village of Republic, and to

maintain a fire department, and to regulate and license auctioneers and peddlers in said village,

Respectfully report that they have had the same under consideration, and have directed us to report the same back to the Senate without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

WM. H. FRANCIS,

*Chairman Committee on Cities and Villages.*

MICHAEL GREINER,

*Chairman Committee on Roads and Bridges.*

Report accepted and committees discharged.

On motion of Mr. Stephenson,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davis,	Mr. Heisterman,	Mr. Phelps,
Belknap,	Edwards,	Hertzler,	Sherwood,
Brown,	Francis,	Hubbell,	Smith, S. W.,
Carpenter,	Greiner,	Hueston,	Spencer,
Cline,	Hawley,	Moon,	Stephenson,
Davenport,			
			21
			0

NAYS.

Title agreed to.

On motion of Mr. Stephenson,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on cities and villages:

The committee on cities and villages, to whom was referred

House bill No. 583, entitled

A bill to revise the charter of the city of East Saginaw, being amendatory of an act entitled "An act to incorporate the city of East Saginaw," approved February 14, 1859, as amended by the several acts amendatory thereof,

Respectfully report that they have had the same under consideration and have directed me to report the same to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

W. H. FRANCIS, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Davenport,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin,	Mr. Davis,	Mr. Heisterman,	Mr. Moon,
Belknap,	Edwards,	Hertzler,	Phelps,
Brown,	Francis,	Hubbell,	Smith, S. W.,
Carpenter,	Greiner,	Hueston,	Spencer,
Cline,	Hawley,	Monroe,	Stephenson,
Davenport,			
			21

## NAYS.

0

Title agreed to.

On motion of Mr. Davenport,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

By the committee on judiciary:

The committee on judiciary, to whom was referred

Senate bill No. 285, entitled

A bill imposing specific taxes on owners and lessees of mines, and on the products of mines and mining in this State;

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying substitute therefor:

A bill to suspend the operation of section 4024, of the compiled laws of 1871, being compiler's section 5478, of Howell's Annotated Statutes, in certain cases, for a period of five years, from the first day of January, A. D. 1886;

Recommending that the substitute be concurred in, and that the substitute do pass, and ask to be discharged from the further consideration of the subject

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,

The Senate concurred in the adoption of the substitute reported for the bill by the committee.

The bill was read a first and second time by its title, and on motion of Mr. Hubbell,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Anstin,	Mr. Davenport,	Mr. Heisterman,	Mr. Moon,
Belknap,	Davis,	Hertzler,	Phelps,
Brown,	Edwards,	Hubbell,	Smith, S. W.,
Carpenter,	Francois,	Hueston,	Spencer,
Carveth,	Greiner,	Monroe,	Stephenson,
Cline,	Hawley,		

22

## NAYS.

0

Title agreed to.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 7 (File No. 3), entitled

A bill to provide for the penalty of death in certain cases of murder;

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate without recommendation as to its passage, and ask to be discharged from the further consideration of the subject.

JAY A. HUBBELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hubbell,



The bill was referred to the committee of the whole, and placed on the general order.

By the committee on engrossment and enrollment:

The committee on engrossment and enrollment report as correctly enrolled, signed, and presented to the Governor the following:

Senate bill No. 282 (File No. 188), entitled

A bill to amend the charter of the city of Ann Arbor;

Also,

Senate bill No. 326 (File No. 92), entitled

A bill supplementary to an act entitled "An act to revise the laws providing for the incorporation of railroad companies and to fix the duties and liabilities of all railroad and other corporations, owning or operating any railroad in this State," approved May 1, 1873.

J. W. BELKNAP, *Chairman*.

Report accepted.

#### MESSAGE FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICER, }  
Lansing, April 24, 1885. }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State,

[Senate bill No. 198 (File No. 79), being]

An act to amend sections 2, 3, 4, 9, and 14, of chapter 2, and to add a new section to said chapter to stand as section 15; and to amend sections 4 and 6 of chapter 4, and to amend section 4 of chapter 11 of act No. 243 of the session laws of 1881, entitled "An act to revise and consolidate the laws relating to the establishment, opening, improvement and maintenance of highways and private roads, and the building, repairing, and preservation of bridges within the State," approved June 8, 1881;

Also,

[Senate bill No. 269 (File No. 67), being]

An act to re-incorporate the village of Au Sable, in Iosco county;

Also,

[Senate bill No. 72 (File No. 119), being]

An act to repeal act number 193 of the session laws of 1883, being continuous sections 8749a, 8749b, 8749c, 8749d, 8749e, 8749f, 8749g, 8749h, 8749i, 8749j, 8749k, 8749l, of Howell's Annotated Statutes of this State;

Also,

Senate concurrent resolution No. 5, requesting Congress to set aside certain unsurveyed shoal water lands, known as the St. Clair flats, for a health and and pleasure resort.

R. A. ALGER, *Governor*.

The message was laid on the table.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 24, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following entitled bill:

House bill No. 303 (File No. 278), entitled

A bill to provide for the incorporation of associations to engage in the business of breeding and raising blooded stock ;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The bill was read a first and second time by its title and referred to the committees on agricultural interests and banks and incorporations, jointly.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, April 24, 1885. }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following entitled bills :

1. House bill No. 624 (File No. 243), entitled

A bill to require vendors of personal property retaining titles thereto, to file a notice thereof in the office of the township or city clerk in which the vendee resides ;

2. House bill No. 297 (File No. 190), entitled

A bill to amend section 10 of chapter 81, revised statutes of 1846, as amended by act No. 158, session laws of 1881, approved April 15, 1871, being section 6193 Howell's Annotated Statutes, relative to fraudulent conveyances and contracts relative to goods, chattels, and things in action ;

3. House bill No. 636 (File No. 307), entitled

A bill to amend section 7545 of Howell's Statutes, being compiler's section 5968 of the compiled laws of 1871, relative to the competency of witnesses and examination of parties in certain cases, as amended by act No. 245 of session laws of 1881 ;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The third named bill was read a first and second time by its title and referred to the committee on the judiciary.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, April 24, 1885. }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following entitled bills :

1. House bill No. 207 (File No. 140), entitled

A bill to amend sections 1, 2, 3, 4, and 5 of chapter 215 of the compiled laws of 1871, relative to certain liens upon real property, and the acts amendatory thereof, the same being sections 8377, 8378, 8379, 8380, and 8381 of the general statutes of the State of Michigan as compiled by Andrew Howell ;

2. House bill No. 623 (File No. 244), entitled

A bill to amend chapter 189 of the session laws of 1871, being chapter 263 of Howell's Annotated Statutes relative to the trial of issues of fact by adding thereto a new section to stand as section 73 ;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on the judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on the judiciary.

The President also announced the following :

HOUSE OF REPRESENTATIVES, }  
Lansing, April 24, 1885. }

*To the President of the Senate :*

SIR—I am instructed by the House to transmit the following entitled bills :

1. House bill No. 511 (File No. 259), entitled

A bill to amend section 1 of an act entitled "An act to provide wives with property and maintenance from their husbands' estate, when neglected or deserted by them," approved April 24, 1873, being continuous section 6291, of the general statutes of the State of Michigan enforced, compiled and annotated by Andrew Howell ;

2. House bill No. 245 (File No. 261), entitled

A bill to amend section 15 of chapter 123 of the revised statutes of 1846, as subsequently amended, being compiler's section 6709 of the compiled laws of 1871, being section 8298 Howell's Annotated Statutes, relating to summary proceedings to recover possession of land ;

3. House bill No. 602 (File No. 288), entitled

A bill to amend sections 1, 3, 4, 5, 6, and 7 of act No. 156 of the session laws of 1883, being an act creating a bureau of labor and industrial statistics, and defining the powers and duties of the same ;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on judiciary.

The second named bill was read a first and second time by its title, and referred to the committee on judiciary.

The third named bill was read a first and second time by its title and referred to the committee on labor interests.

#### QUESTION OF PRIVILEGE.

Mr. Edwards arose to a question of privilege, and stated that he is incorrectly reported in the Journal of the 24th inst. as voting "nay" on Mr. Hubbell's first appeal from the decision of the chair on that day on the question of adjournment, when in fact Mr. Edwards voted "yea" on said appeal.

Mr. Edwards moved that the Journal be corrected accordingly.

## MOTIONS AND RESOLUTIONS.

Mr. Greiner offered the following resolution :

*Resolved*, That the Senate adjourn at 11:30 A. M. to-day and stand adjourned until next Monday, the 27th, at 2 o'clock P. M.

Mr. Edwards called for the yeas and nays.

Mr. Hueston moved to amend by inserting "10" in place of "2" in the resolution,

Which did not prevail.

The resolution was then adopted, by yeas and nays as follows :

## YEAS.

Mr. Austin,	Mr. Davenport,	Mr. Hawley,	Mr. Phelps,
Belknap,	Davis,	Hertzler,	Sherwood,
Carveth,	Francis,	Hubbell,	Smith, S. W.,
Cline,	Greiner,	Moon,	Spencer, 16

## NAYS.

Mr. Brown,	Mr. Edwards,	Mr. Hueston,	Mr. Stephenson,
Carpenter,	Heisterman,	Monroe,	7

Mr. Hawley offered the following resolution :

*Resolved*, That the Senate Journal on pages 759 and 768, where it reads "Senate" bill No. 18 (File No. 83), be corrected so as to read "House" bill No. 18 (File No. 83);

Which was adopted.

On motion of Mr. Hubbell,

Leave of absence was granted to Mr. Hubbell indefinitely.

Mr. Carveth moved that the committee of the whole be discharged from the further consideration of

House bill No. 22 (File No. 93), entitled

A bill to provide for a uniform system of examination of teachers for the county of Alpena;

Which motion prevailed.

On motion of Mr. Carveth,

The bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows :

## YEAS.

Mr. Anstin,	Mr. Davenport,	Mr. Heisterman,	Mr. Phelps,
Belknap,	Davis,	Hertzler,	Sherwood,
Brown,	Edwards,	Hubbell,	Smith, S. W.,
Carpenter,	Francis,	Hueston,	Spencer,
Carveth,	Greiner,	Monroe,	Stephenson,
Cline,	Hawley,	Moon,	23

## NAYS.

0

Title agreed to.

On motion of Mr. Carveth,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

On motion of Mr. Cline,

Leave of absence was granted to Mr. Cline until Wednesday, April 29.

On motion of Mr. Davenport,

Leave of absence was granted to Mr. Davenport until Wednesday, April 29.  
On motion of Mr. Belknap,  
Leave of absence was granted to Mr. Belknap until Wednesday, April 29.  
On motion of Mr. Hertzler,  
The Senate adjourned.

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*Lansing, Monday, April 27, 1885.*

The Senate met and was called to order by the President at 2 o'clock P. M.

Prayer by Rev. Mr. Taylor.

Roll called: a quorum present.

Absent without leave: Senators Austin, Greiner, Hertzler, Moon, Pulver, and G. A. Smith.

On motion of Mr. Sherwood,

Leave of absence was granted to all absentees for the day.

By unanimous consent.

Mr. Carveth offered the following resolution:

*Resolved*, That the select committee on taxation be discharged from the further consideration of

Senate bill No. 175, entitled

A bill to amend sections 1 to 109, inclusive, of act No. 9 of public acts of 1882, entitled "An act to provide for the assessment of property, and the levy and collection of taxes thereon," approved March 14, 1882;

Which was adopted.

By unanimous consent,

Mr. Carveth offered a proposed substitute for the bill.

On motion of Mr. Carveth,

The substitute was ordered printed, and the bill and proposed substitute were referred to the select committee on taxation.

#### MESSAGE FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICE,  
*Lansing, April 25, 1885.* }

*To the Senate:*

I have this day approved, signed, and deposited in the office of the Secretary of State:

[Senate bill No. 282 (File No. 188), being]

An act to amend the charter of the city of Ann Arbor.

R. A. ALGER, Governor.

The message was laid on the table.

#### MOTIONS AND RESOLUTIONS.

Mr. Henry moved to take from the table

Senate bill No. 270 (File No. 212), entitled

A bill to incorporate the village of Oscoda;

Which motion prevailed.

The question being on the passage of the bill,

The same was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Brown,	Mr. Hawley,	Mr. Kempf,	Mr. Sherwood,
Carpenter,	Heisterman,	Monroe,	Smith, S. W.,
Carveth,	Henry,	Pennell,	Spencer,
Edwards,	Hueston,	Phelps,	Stephenson,
Francis,			

17

#### NAYS.

0

Title agreed to.

Mr. Monroe offered the following resolution:

*Resolved by the Senate of the State of Michigan* (the House concurring therein), that there be added to the "joint select committee of eight," to whom is to be referred all bills relating to the assessment and collection of taxes, one member from the Senate and two from the House, to be appointed by the presiding officer of each body respectively;

Which was adopted.

Mr. Monroe moved that the following concurrent resolution be taken from the table:

*Resolved* (the House concurring), That a joint committee, consisting of two from the Senate and two from the House, be appointed to provide for the distribution of the Legislative Manuals;

For which the House adopted the following substitute:

*Resolved by the Senate* (the House concurring), That a committee, consisting of five Representatives and three Senators, be appointed to fix upon a basis of distribution of the Legislative Manuals;

Which motion prevailed.

The question being on the adoption of the substitute proposed by the House, the same was not adopted.

#### GENERAL ORDER.

On motion of Mr. S. W. Smith,

The Senate went into committee of the whole, on the general order,

Mr. Pennell in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

#### I.

The committee of the whole have had under consideration the following: House joint resolution No. 31 (File No. 16), entitled

Joint resolution authorizing the Governor to issue a patent to Chester C. Morton, of Cass county, for the  $e \frac{1}{4}$  of the southeast fractional  $\frac{1}{4}$  of section 16, in township 5 south, of range number 15 west, in Cass county, the same being primary school lands;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend their passage.

## II.

The committee of the whole have also had under consideration the following:

Senate bill No. 38 (File No. 14), entitled

A bill to prevent the spread of glanders and farcy;

House bill No. 349 (File No. 166), entitled

A bill to amend section 6 of chapter 46 of the compiled laws of 1871, being compiler's section 1638 of Howell's Annotated Statutes of Michigan for 1882, relative to burial grounds;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

O. G. PENNELL, *Chairman.*

Report accepted and committee discharged.

The first named joint resolution was placed on the order of third reading of bills.

On motion of Mr. Edwards,

The Senate concurred in the amendments made by the committee to the second named bills, and they were placed on the order of third reading of bills:

Mr. Henry moved to take from the table

Senate bill No. 347, entitled

A bill to amend section 751 of the compiled laws of 1871, being section 750 Howell's Annotated Statutes relative to the authority of township boards to raise money for township purposes;

Which motion prevailed.

On motion of Mr. Henry,

The bill was ordered printed and referred to the committee on the judiciary.

On motion of Mr. Hawley,

Senate bill No. 38 (File No. 14), entitled

A bill to prevent the spread of glanders and farcy,

Was ordered reprinted.

Mr. Henry moved that the Senate take a recess until 7:30 o'clock P. M.

On motion of Mr. Edwards,

The Senate adjourned.

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*Lansing, Tuesday, April 28; 1885.*

The Senate met and was called to order by the President at 10 o'clock A. M.

Prayer by the Rev. Mr. Franklin.

Roll called: a quorum present.

Absent without leave: Senators Hertzler and G. A. Smith.

Mr. Spencer asked and obtained leave of absence for Mr. Hertzler for the forenoon's session.

Mr. Carpenter asked and obtained leave of absence for Mr. G. A. Smith for the day.

By unanimous consent,

Mr. Monroe offered the following preamble and concurrent resolution :

WHEREAS, By an equal division of the Supreme Court in two cases brought before said court, grave doubt is thrown upon the constitutionality of tax sales made under the tax law of 1882, so called ; and

WHEREAS, By reason of said doubt a large amount of litigation and expense will be likely to arise should further sales be made under such law ; therefore

*Resolved by the Senate of the State of Michigan* (the House of Representatives concurring therein), That the Auditor General be and he is hereby authorized and instructed to suspend the sale for delinquent taxes of 1882, now advertised to take place on Monday, May 4, 1885, until such time as the Legislature may otherwise direct, either by resolution or the enactment of a statute bearing upon the subject.

On motion of Mr. Monroe,

The preamble and concurrent resolution were laid on the table.

#### PETITIONS.

No. 676. By Mr. Henry: Resolutions of the board of supervisors of Presque Isle county relative to the organization of the township of Ocqueoc in said county ;

No. 677. By the same: Remonstrance of Joseph Vilburn and 17 others, against the organization of the township of Ocqueoc ;

No. 678. By the same: Affidavits of James A. Berry, Samuel Story, Ira J. Berry, John Carter, Joseph M. Banner, H. M. Story, J. B. Ellsworth, Jacob Manon, Frank H. Hart, and Dustin O. Marr, relative to the reasons and representations which induced them to sign the remonstrance against the organization of the county of Sunner ;

The three petitions were referred to the committee on counties and townships.

No. 679. By the same: Remonstrance of James Watson, James E. Leete, A. H. Knappen, and James J. Dunhof, supervisors in the county of Roscommon, against the amendment to the charter of the village of Roscommon making the president of said village a member of the board of supervisors of the county of Roscommon ;

Referred to the committee on cities and villages.

#### MOTIONS AND RESOLUTIONS.

Mr. Francis moved that the committee of the whole be discharged from the further consideration of

House bill No. 416, entitled

A bill to authorize the board of supervisors of Charlevoix county to establish, maintain, and operate a ferry across the south arm of Pine Lake, at or near Ironton in said county,

Which motion prevailed.

On motion of Mr. Francis,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows :

#### YEAS.

Mr. Austin,  
Brown,  
Carpenter,

Mr. Davis,  
Edwards,  
Francis,

Mr. Henry,  
Hueston,  
Kempf,

Mr. Pulver,  
Sherwood,  
Shoemaker,



Mr. Carveth,	Mr. Greiner,	Mr. Moon,	Mr. Smith, S. W.,
Curtiss,	Hawley,	Pennell,	Stephenson,
Davenport,	Heisterman,	Phelps,	Woodruff,
			24
		NAYS.	0

Title agreed to.

On motion of Mr. Francis,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Henry moved to take from the table

Senate bill No. 352, entitled

A bill to incorporate the city of Au Sable, in Iosco county;

Which motion prevailed.

On motion of Mr. Henry,

The further consideration of the bill was indefinitely postponed.

Mr. Henry moved to reconsider the vote by which the Senate passed

Senate bill No. 270 (File No. 212), entitled

A bill to incorporate the village of Oscoda;

Which motion prevailed.

The question being on the passage of the bill, and pending the taking of the vote thereon,

By unanimous consent, Mr. Henry moved to amend the bill as follows:

By striking out of section 4, line 3, the word "freeholders" and inserting in lieu thereof the word "electors";

Which motion prevailed and the bill was so amended.

The bill as amended was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Edwards,	Mr. Hueston,	Mr. Pulver,
Brown,	Francis,	Kempf,	Spencer,
Carpenter,	Hawley,	Moon,	Stephenson,
Cline,	Heisterman,	Pennell,	Woodruff,
Curtiss,	Henry,		
			18

#### NAYS.

Mr. Phelps,	1
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Title agreed to.

On motion of Mr. Henry,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

Mr. Hawley moved to take from the table

Senate bill No. 169 (File No. 155), entitled

A bill to amend sections 2 and 7 of act No. 169, of the public acts of 1881, to increase the salary of the State Librarian;

Which motion prevailed.

The question being on the passage of the bill,

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor by yeas and nays, as follows:

#### YEAS.

Mr. Austin,	Mr. Davis,	Mr. Henry,	Mr. Pennell,
Brown,	Edwards,	Hueston,	Spencer,

Mr. Carpenter, Carveth, Cline,	Mr. Francis, Hawley, Heisterman,	Mr. Kempf, Monroe, Moon,	Mr. Stephenson, Woodruff,	19
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NAYS.

Mr. Greiner,	Mr. Phelps,	Mr. Pulver,	3
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Title agreed to.

On motion of Mr. Stephenson,

By a vote of two-thirds of all the Senators elect the bill was ordered to take immediate effect.

## THIRD READING OF BILLS.

House joint resolution No. 31 (File No. 16), entitled

Joint resolution authorizing the Governor to issue a patent to Chester C. Morton, of Cass county, for the east  $\frac{1}{2}$  of the southeast fractional  $\frac{1}{4}$  of section 16, in township 5 south, of range number 15 west, in Cass county, the same being primary school lands.

The joint resolution was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Austin, Brown, Carpenter, Carveth, Curtiss, Davenport,	Mr. Davis, Edwards, Francis, Greiner, Heisterman,	Mr. Henry, Hueston, Kempf, Moon, Pennell,	Mr. Sherwood, Shoemaker, Spencer, Stephenson, Woodruff,	21
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NAYS.

0

Title and preamble agreed to.

House bill No. 349 (File No. 166), entitled

A bill to amend section 6 of chapter 46 of the compiled laws of 1871, being compiler's section 1638 of Howell's Annotated Statutes of Michigan for 1882, relative to burial grounds,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Austin, Brown, Carpenter, Cline, Curtiss, Davenport,	Mr. Davis, Edwards, Francis, Greiner, Heisterman,	Mr. Henry, Hueston, Kempf, Moon, Pennell,	Mr. Phelps, Sherwood, Shoemaker, Stephenson, Woodruff,	21
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NAYS.

0

Title agreed to.

## GENERAL ORDER.

On motion of Mr. Carveth,

The Senate went into committee of the whole on the general order,

Mr. Davis in the chair.

After some time spent therein, the committee rose, and, through their chairman, made the following report:

## I.

The committee of the whole have had under consideration the following:  
House bill No. 654 (File No. 205) entitled

A bill to provide for keeping in repair a certain State road in St. Clair county;

Have made no amendments thereto, and have directed their chairman to report the same back to the Senate, and recommend its passage.

## II.

The committee of the whole have also had under consideration the following:

Senate bill No. 184 (File No. 152), entitled

A bill to amend section 1 of act No. 350 of the session laws of 1865, approved March 1, 1865, entitled "An act to protect fish and preserve the fisheries of this State," being section 2163 of the general statutes of this State, compiled and annotated by Andrew Howell;

Senate bill No. 293 (File No. 153), entitled

A bill to punish frauds upon hotel, tavern, inn, and boarding-house keepers;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

## III.

The committee of the whole have also had under consideration the following:

Senate bill No. 227 (File No. 183), entitled

A bill making an appropriation for the State Industrial Home for Girls for the years 1885 and 1886;

Have adopted a substitute therefor, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend its passage.

## IV.

The committee of the whole have also had under consideration the following:

Senate bill No. 274 (File No. 107), entitled .

A bill to incorporate the village of Tawas City, in the township of Tawas, Iosco county, and State of Michigan;

Have directed their chairman to report the same back to the Senate, with the recommendation that the bill be laid on the table.

L. C. DAVIS, *Chairman*.

Report accepted and committee discharged.

The first named bill was placed on the order of third reading of bills.

The question being on concurring in the amendments made to the second-named bills;

Mr. Shoemaker demanded a division of the question, on concurring in amendments to

Senate bill No. 293 (File No. 153), entitled

A bill to punish frauds upon hotel, tavern, inn, and boarding-house keepers.

Mr. Carveth moved to concur in said amendments.

Mr. Shoemaker called for the yeas and nays.

The amendment was agreed to, by yeas and nays, as follows:

## YEAS.

Mr. Austin, Carpenter, Carveth, Greiner,	Mr. Heisterman, Henry, Hueston,	Mr. Monroe, Moon, Pennell,	Mr. Phelps, Spencer, Stephenson,	13
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## NAYS.

Mr. Brown, Ourtiss, Davis,	Mr. Edwards, Francis,	Mr. Hawley, Pulver,	Mr. Sherwood, Shoemaker,	9
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And the same was placed on the order of third reading of bills.

On motion of Mr. Davis,

The Senate concurred in the amendments made by the committee to the first of the second named bills, and the same was placed on the order of third reading of bills.

On motion of Mr. Davis,

The Senate concurred in the recommendation of the committee in adopting a substitute for the third named bill, and the same was placed on the order of third reading of bills.

On motion of Mr. Davis,

The Senate concurred in the recommendation of the committee regarding the fourth named bill, and the same was laid on the table.

On motion of Mr. Pulver,

The Senate took a recess until 2 o'clock P. M.

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AFTERNOON SESSION.

*2 o'clock P. M.*

The Senate met and was called to order by the President.

Roll called: a quorum present.

The President announced that the hour for the special order had arrived, being the consideration of

Senate bill No. 23 (File No. 7), entitled

A bill to amend sections 3, 4, and 5 of chapter 1 of an act entitled "An act to provide a charter for the city of Detroit, and to repeal all acts and parts of acts in conflict therewith," being act No. 326 of the Session Laws of 1883, approved June 7, 1883, and to add a new section to said chapter to be known as section 6.

Mr. Stephenson moved that the consideration of the same be made a special order for Tuesday, May 12, at 2 o'clock P. M.

Upon which,

The President ordered the yeas and nays.

The motion then prevailed, by yeas and nays, as follows:

## YEAS.

Mr. Brown, Carpenter, Carveth,	Mr. Cline, Francis, Greiner,	Mr. Henry, Pulver, Smith, S.W.,	Mr. Spencer, Stephenson, Woodruff,	12
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## NAYS.

Mr. Davenport, Davis, Heisterman,	Mr. Hueston, Kempf, Monroe,	Mr. Moon, Pennell, Phelps,	Mr. Sherwood, Shoemaker,	11
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## PETITIONS.

No. 680. By Mr. Pulver: Petition of Chas. Curtiss and 239 others of Livingston county, in favor of submitting the constitutional amendment to the people relative to the liquor traffic;

No. 681. By Mr. Pennell: Petition of Isaac Fletcher and 29 others, same object;

No. 682. By Mr. Moon: Petition of Isaac Fairbanks and 15 others, of Holland City, same object;

The three petitions were referred to the committee on liquor traffic.

No. 683. By Mr. Cline: Petition of 264 citizens of Fort Gratiot:

*To the Honorable, the Senate of the State of Michigan:*

The undersigned citizens of Fort Gratiot represent that nearly all the people residing in the village are well content with the village government and desire no change.

We respectfully protest against the attempt of the city of Port Huron to impose its government and its burthens upon us.

We therefore ask you to refer the pending charter of Port Huron to some appropriate committee before whom we can lay our grievances and objections.

Referred to the committee on cities and villages.

## REPORTS OF STANDING COMMITTEES.

By the committee on judiciary:

The committee on judiciary, to whom was referred

House bill No. 623 (File No. 244), entitled

A bill to amend chapter 189 of the session laws of 1871, being chapter 263 of Howell's Annotated Statutes relative to the trial of issues of fact, by adding thereto a new section to stand as section 73,

Respectfully report that they have had the same under consideration and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

JOHN CARVETH, *Acting Chairman.*

Report accepted and committee discharged.

On motion of Mr. Hawley,

The rules were suspended, and the bill was placed on its immediate passage.

The bill was read a third time, and pending the taking of the vote thereon,

By unanimous consent, Mr. Hawley moved to amend the bill as follows:

1. By adding the following, to stand as an enacting section:

SECTION 1. *The People of the State of Michigan enact*, That a new section be added to chapter 189 of the compiled laws of 1871, being chapter 263 of Howell's Annotated Statutes relative to the trial of issues of fact, to stand as section 73, and to read as follows:

2. By striking out of section 73 the words "*The People of the State of Michigan enact*;"

Which motion prevailed, and the bill was so amended.

The bill as amended was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

## YEAS.

Mr. Austin,  
Brown,  
Carpenter,

Mr. Francis,  
Greiner,  
Hawley,

Mr. Moon,  
Pennell,  
Phelps,

Mr. Shoemaker,  
Smith, S. W.,  
Spencer,

Mr. Carveth,  
Cline,  
Davenport,

Mr. Heisterman,  
Henry,  
Hueston,

Mr. Pulver,  
Sherwood,

Mr. Stephenson,  
Woodruff,

22  
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### NAYS.

The question being on agreeing to the title,

Mr. Hawley moved to amend the title as follows:

By striking out the word "session" and inserting in lieu thereof the word "compiled";

Which motion prevailed.

The title as amended was then agreed to.

On motion of Mr. Hawley,

By a vote of two-thirds of all the Senators elect, the bill was ordered to take immediate effect.

### MESSAGES FROM THE HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 28, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following entitled bills:

1. House bill No. 704 (File No. 313), entitled

A bill to extend and regulate the liability of employers to make compensations for personal injuries suffered by employes or workmen in their service.

2. House bill No. 143 (File No. 104), entitled

A bill to amend sections 1, 2, 3, 4, and 5 of an act establishing a State agency for the care of juvenile offenders, approved April 29, 1873, as amended by an act to amend section 1 of said act, approved March 19, 1875, the same being sections 9894, 9895, 9896, 9897, and 9898 of Howell's Annotated Statutes;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title and referred to the committee on labor.

The second named bill was read a first and second time by its title, and referred to the committee on State affairs.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
*Lansing, April 28, 1885.* }

*To the President of the Senate:*

SIR—I am instructed by the House to transmit the following entitled bills:

1. House bill No. 406 (File No. 328), entitled

A bill to amend Sec. 57 of act No. 249 of the session laws of 1871, entitled an act to incorporate the city of Alpena, approved March 29, 1871, as amended by act No. 311, local acts of 1877, approved April 23, 1877;

2. House bill No. 680 (File No. 282), entitled

A bill to amend section 1 of article V, act No. 259, session laws of 1873, entitled "An act to incorporate the village of Clio," relating to "of the President of said village," and subdivision 12th and 20th of section 2, article VI, of the same act, relating to "of the board of trustees," and to add a new

section to article XII of the same act to stand as section 9, relating to "of the limit of taxation," and to amend section 1, of article XXIV of the same act, relating to "of the Genesee county jail";

3. House bill No. 246 (File No. 262), entitled

A bill to change the names of certain streets in Bay City,

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

The first named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The second named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The third named bill was read a first and second time by its title, and referred to the committee on cities and villages.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }  
Lansing, April 28, 1885. }

*To the President of the Senate:*

SIR—I am instructed by the House to re-return to the Senate the following entitled bill:

Senate bill No. 152 (File No. 54), entitled

A bill to re-incorporate the village of Roscommon, Roscommon county;

And to inform the Senate that the House has amended the same as follows, viz.:

1. Amend section 2, line 4, by striking out the words "5th Monday of March," and inserting "fourth Monday in May" in lieu thereof;

2. Amend section 1, line 6, by striking out the words "and who have resided in said village 90 days next preceding said day of registration;"

3. Amend section 3, line 1, by striking out the words "5th Monday in March," and inserting "fourth Monday in May" in lieu thereof;

In the passage of which as thus amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

DANIEL L. CROSSMAN,

*Clerk of the House of Representatives.*

Mr. Henry moved that the Senate concur in the amendments made to the bill by the House;

Which motion prevailed, by yeas and nays as follows:

YEAS.

Mr. Brown,  
Carpenter,  
Carveth,  
Cline,  
Curtiss,  
Davenport,

Mr. Davis,  
Francis,  
Greiner,  
Hawley,  
Heisterman,  
Henry,

Mr. Hueston,  
Moon,  
Pennell,  
Phelps,  
Pulver,

Mr. Sherwood,  
Shoemaker,  
Spencer,  
Stephenson,  
Woodruff,

NAYS.

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